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राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शनिवार, 16 मई, 2026 / 26 वैशाख, 1948

हिमाचल प्रदेश सरकार

URBAN DEVELOPMENT DEPARTMENT

Municipal Council Chamba, H.P. Advertisement Bye-Laws, 2025

NOTIFICATION

Dated, the 2nd May, 2026

No 733.—The following Bye – laws made by **Municipal Council Chamba**, for regulating Outdoor Advertisement and hoardings in exercise of the Power conferred under section 113 and

Section 202(o) of the Himachal Pradesh Municipal Act, 1994 I, Rakhi Kaushal, Senior Executive Officer, Municipal Council Chamba, Himachal Pradesh hereby notify the following By- laws:

Advertisement Bye–Laws – Municipal Council Chamba

1. Title & Contents.—(i) These Bye-laws may be called the Municipal Council Chamba Outdoor Advertisement Bye-laws 2025.

(ii) These Bye-laws shall come into force with immediate effect within the limits of Chamba Municipal Council after the notification by the Government of Himachal Pradesh in the official gazette.

2. Definitions: In these byelaws unless the context otherwise requires:—

(i) **"Act"** means Himachal Pradesh Municipal Act, 1994

(ii) **"Council"** means Municipal Council Chamba

(iii) "**Advertisement**" shall mean any work, letter, model, sign, device, digital display, electronic display, name boards, direction boards, laser show, kiosk, LED, LCD, Backlit Board, Neon display, or representation supported on or attached to any post, pole, standard framework or other support wholly or in part upon or over any Private/ Public/State Govt./Central Govt./ public Sector undertaking/ Govt. Companies/ Govt. Authorities etc., land/Spaces, building or structure which or any part of which shall be visible against the sky from some point in any street/Road includes all and every part of any such post, pole, parapet, standard framework or other support. It shall also include any balloon parachute or other similar employed wholly or in part for the purpose of any advertisement announcement or direction upon or over any land/spaces, building or upon or over any street. However, any display in the form of graffiti and civic messages published by Municipal Council or any Government authorities (Having no commercial explanation) for the benefit of the citizen shall not be considered as an advertisement.

(iv) Advertisement on vehicle (movable) means single, double or multiple advertisement board affixed by means of sticker/boards on vehicle, side panel or behind a vehicle in a manner that advertisement draw visibility while the vehicle is driven on the road. However, care must be taken to ensure that this does not impede traffic as well as pedestrians.

(v) Advertisement on vehicle (Parked) means single, double or multiple advertisement board affixed by means of sticker/boards on vehicle, side panel or behind a vehicle in a manner that advertisement draw visibility when vehicle is parked at strategic location. However, care must be taken to ensure that this does not impede traffic as well as pedestrians.

(vi) "**Advertisement Regulation Committee**" means Committee consisting of (a) Sr. Executive Officer Municipal Council Chamba (b) Junior Engineer Municipal Council Chamba (c) Sanitary Supervisor, Municipal Council Chamba (d) Assistant Engineer, Municipal Council Chamba.

(vii) "**Advertisement Zoning Plan**" means the numbered plan signed by the Sr. Executive Officer and kept in this office defining the areas of special control and restrictions regarding the advertisement applicable to such areas.

(viii) **"Area of Special control**" means as area so defined in the advertisement zoning plan.

(ix) "**Enclosed Land**" shall mean the land which is wholly or for the most part enclosed within the hedge fence, wall or similar screen or structure and shall not include any railway station together with the yards and for Court thereof, whether enclosed or not, any public park, public garden or other land held for the use or enjoyment of the public.

(x) "**Illuminated advertisement**" shall mean any advertisement with self-luminous by an outside source of light, but not include an illuminated display of goods if such display:—

(a) Is of goods merely bearing labels showing the name of article of its manufacturer or of other; and

(b) Is made by lighting which is not, in the opinion of the Sr. Executive Officer more than which is necessary to make the goods labels visible at night.

(xi) "**Name Plate**" shall mean an advertisement announcing the name of owner and or name of occupier of a building and/or name of a building upon which such advertisement is fixed, exhibited painted, pasted retained or displayed, provided that the size of the letters constituting such advertisement does not exceed 2" in height and the total area does not exceed 4 square feet.

(xii) "**Structure**" shall include a post, pole, tree, bridge, embank and road surface and also a tram car, omnibus and any other vehicle any movable, board used primarily as an advertisement or advertising medium.

(xiii) **"Schedule"** means the schedule indicating the rate/fees for advertisements

3. (A) Regulation and control of advertisement:

No advertisement shall be erected, exhibited, fixed or retained upon or over any land, building, wall, boarding, frame, post or structure or place within the City without the written permission of the Sr. Executive Officer granted in accordance with bye-laws made under this Act. Provided that no permission shall be required for any advertisement, which: -

(a) Appears in newspapers, relates to public meeting, or to an election to Parliament or Legislative Assembly or the Council or to candidature in respect of such election; or

(b) is exhibited within the window of and building if the advertisement relates to the trade, profession or business carried on in that building; or

(c) relates to the trade profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to any sale entertainment or meeting to be held on or upon or in the same; or

(d) relates to the name of the land or building upon or over which the advertisement is exhibited, or the name of the owner or occupier of such land or building; or

(e) Relates to any activity of the Government or Union of India or the Municipal Council.

3. (B) Prohibition of Sticking, fixing hanging or painting bills, posters, advertisement, notices etc. (i). Hoardings, advertisement/ banners will not be allowed in the acquired width of the National/ State highway and other scheduled road and footpath as they cause traffic hazard and are against the instructions of the Govt. of India and Hon'ble Court.

(ii) No Hoarding, advertisements should be put at the place which effects or endangers the growth of flora and fauna.

(iii) No hoarding, advertisement should be located in thickly wooded area and no any kind of hoarding should be placed on trees.

(iv) No hoarding, advertisement should exceed dimension size of 30 Sq. Meters.

(v) No hoarding, advertisement, banners should be put up in contravention of any law & rules against the guidelines notified by any department.

(vi) No hoarding, advertisement should locate near a water source.

(vii) No hoarding, advertisement should be in the form of writing, engraving, nailing and carving on any Natural or in animate object.

(viii) No hoarding, advertisement, banner will be allowed on the roofs of buildings, except with the permission of Sr. Executive Officer, MC Chamba.

(ix) Only sign board of premises are allowed up to 4 Sq m. between slab and lintel of the building to the occupier/ owner.

(x) Directional sign to Govt. offices, religious places will be allowed by the Council, The type, size and location of these shall be also approved by the Council. The PNP has to keep in view requisite site clearness, so that there is no traffic hazard due to installation of such board.

(xi) The Council shall provide notice board for the purpose of sticking, fixing or hanging posters, notice and advertisement, which shall be available for use on an application to be made to the Sr. Executive Officer on payment of fee provided for in these bye-laws.

(xii) No hoarding, advertisement should be located/ positioned on a sharp turn, "U" turn and blind turns.

(xiii) The beauty of nature for matters such as hills, rivers, trees and rock should not be destroyed by indiscriminate installation of commercial advertisement.

(xiv) No writing/ defacing of retaining wall sand parapets could be allowed

4. Outdoor advertisement and road safety criteria:

An advertisement device may be considered a traffic hazard:-

(a) If it interferes with road safety or traffic efficiency;

(b) If it interferes with the effectiveness of a traffic control device (eg. traffic light, stop or give way sign);

(c) Distracts a driver at a critical time (e.g. making a decision at an intersection);

(d) Obscures a driver's view of a road hazard (e.g. at corners or bends on the road);

(e) Gives instructions to traffic to "Stop", "halt" or other (e.g. give way or merge);

(f) Imitates a traffic control device;

(g) Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users;

(h) Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous; and

(i) If situated at locations where the demands on driver's concentration due to road conditions are high such as at major intersections or merging and diverging lanes;

(j) Name of advertisement agencies should be mentioned on every hoarding board.

5. Control of the physical characteristics of advertising devices shall be as follows:

(a) Advertising shall not contain flashing red, blue or amber point light sources which when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning lights.

(b) All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surroundings.

(c) External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.

(d) Illumination of advertising device is to be concealed or be integral part of it

(e) Upward pointing light of the device shall not be allowed, any external lighting is to be downward pointing and focused directly on the sign so that glare does not extend beyond the Advertising Device.

(f) The average-maintained luminance shall be reduced to 0.5 candelas or all together shut from 11pm till sunrise by automatic timing devices.

(g) Non-static illuminated Advertising Devices (flashing lights) are not permitted within the boundaries of municipal roads.

(h) Moving, rotating or variable message Advertising Devices are not permitted within the municipal boundaries as these cause a statistically significant distractive influence on motorist's response times to external stimuli.

However, this permission criterion is not intended to apply to variable message displays used by road authorities for traffic management or for displaying other Council's information. Variable message displays located at bus stops or similar places where messages are directed at- and intended for pedestrians (not motorists) are excluded.

6. Outdoor hoarding and their content criteria:

The Municipal authority may take action to modify or remove any Advertising Device that contravenes the following negative advertisements or that otherwise cause a traffic hazard.

List of negative advertisements:—

- Nudity
- Racial advertisements or advertisements propagating caste, community or ethnic differences.
- Advertisement promoting drugs, alcohol, cigarette or tobacco items
- Advertisements propagating exploitation of women or child
- Advertisement having sexual overtone
- Advertisement depicting cruelty to animals
- Advertisement depicting any nation or institution in poor light
- Advertisement casting aspersion of any brand or person

- Advertisement banned by any law enacted by the Government of India
- Advertisement glorifying violence
- Advertisement that exploits the national emblem or any part of Constitution of India, or the person or personality of a national leader or a state dignitary.
- Destructive devices and explosives depicting items
- Any psychedelic, laser or moving displays
- Advertisement of Weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)
- Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing • Advertisements which may be obscene or contain pornography or contain an "indecent representation of women" within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986.
- Advertisement linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force, including but not limited to the Drugs and Cosmetics Act, 1940, the Drugs and Magic Remedies (Objectionable Advertisements) Act,1954, the Indian Penal Code, 1860; or
- Any other items considered inappropriate by the municipal bodies

For all categories of devices (except Category of devices which are directed at pedestrians), text elements on an Advertising Device, face should be easily discernible to travelling motorists. This will minimize driver's distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction. The content or graphic layout exhibited on advertising device panel shall avoid hard-to-read and over lay intricate typefaces and have letter styles that are appropriate. Under no circumstances should device contain information in text sizes which would necessitate the driver or passenger in a moving vehicle to stop, read and/or note down, which detrimental to the smooth flow of traffic and distracting for the driver. All signs shall be so designed as to maintain a proportion where, as a general rule letters should not appear to occupy more than 2% of the sign area unless otherwise permitted by the municipal bodies.

7. Prohibited areas and areas of special control and restrictions there-on:

The Sr. Executive Officer may: -

(a) by order prohibit the erection, exhibition, fixation, retention or display of any or any class of advertisements in any street road or public park or park there of or in any place or public resort;

(b) Regulate the erection, exhibition, fixation, retention or display any advertisements, in any manner in the prohibited areas and areas of special control, in accordance with the regulations indicated in the Advertisement Zoning Plans of the said areas.

Explanation:—The restrictions indicated in the advertisement zoning plans shall be in addition to those mentioned in the other clauses of the bye-laws.

8. Classification of advertisement devices:

The categories of the advertisement devices:—

Category 1: Large-format advertisement, mainly fixed on bill boards / uni-poles and bridge.

Category 2: Advertisement mounted on public amenities, like public toilets, garbage collection points, Single Poles etc.

Category 3: Fleets, fliers and transport related infrastructure

Category 4: Advertisement devices for self-advertising in commercial areas.

9. Outdoor advertising and structure criteria:

- Advertising Device structures including the foundations, for categories 1 and 2 devices, shall be designed and checked for extreme wind conditions, earthquakes, soil bearing capacity etc. and shall comply with relevant Indian structural design standards, codes of practice and Byelaws guidelines. The designs shall be certified by an experienced and practicing structural engineer.

- The supporting structure shall have an on-reflective finish to prevent glare. The device structure shall be well maintained at all times. It shall be painted in colours that are consistent with, and enhance the surrounding area and will be compliant with the criteria or colours laid out earlier in the Bye-laws.

- Official road furniture such as official signs and delineator guide-posts shall not be used as the supporting structure of an advertising device.

- The name of the Advertising Device license holder should be placed in a conspicuous position on the device.

10. Outdoor advertising devices and electrical connection:

The electrical connections and components in all Advertising Devices shall be in accordance with relevant Indian Standards and designed to ensure there is no safety or traffic risk.

No generator running on diesel / petrol / kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any outdoor advertising device.

Electricity from renewable energy sources:

To promote conservation of electricity, if the illumination at outdoor advertising devices draws power from alternate renewable resources like solar power, such advertisement devices the license fee/charges will be half of the actual fee.

11. Permissibility of different category of advertising devices:

As per schedule-I

12. Specific conditions:

(a) No advertisement /hoarding should be placed in such a way that obstructs the mountain and valley view of Town. If such case is found, the Sr. Executive Officer can impose a penalty as he deems fit not exceeding a sum of twenty thousand rupees and remove the said advertisement.

(b) All advertisements outside the business area or the building which houses the business can be erected only after permission from the Council.

13. Limitation for Disposal of Applications:

Every application received as per provision of these byelaws shall be acknowledged and the decision on it shall be taken within 30 working days from the date of receipt. If the decision is not taken within the prescribed period, it will be presumed that the required permission is granted subject to payment of due advertisement tax and license fee of the land use charges, wherever applicable and compliance of other clauses of Bye-laws.

14. Procedure to grant permission:

All advertisements, over the size of 100 sq. feet, (9.3 sq.m.) permitted over the Municipal land / building shall be through tenders. The tenders can be of single or more hoardings. The tender shall be invited by a committee to be headed by Sr. Executive Officer or by his representative or in the exceptional circumstances by private experts. The committee shall fix the following minimum things before the tender;

(a) Reserve price

(b) Location of the site/sites

(c) Size of advertisement

(d) Past revenue collection

(e) Number of sites

(f) Period of tender.

The advertisement right shall be given for a period of 3 years or as may be decided by the Municipal Council Chamba. It shall be terminable at one month notice without assigning any reason. In the event of default of any terms, the same shall be terminable forthwith without any notice. The tender bid will include the advertisement tax and rent for use of Municipal Council Land/Property. However, payment of service tax or any other State/Central tax will be borne by the tendering agency/individual.

15. Procedure for obtaining permission - For grant of permission in respect of advertisement of private property:

The application for permission from the Sr. Executive Officer shall be accompanied with the following documents:—

1. Written no objection certificate from the landowner of the person, legally authorized to accord such NOC.

2. Three copies of plan showing the location, norms and size of the advertisement/hoarding etc. and a copy of the advertisement to be displayed.

3. The design and the structure shall be certified by a experienced and practicing Structural Engineer who shall certify the safety aspect from the point of view of its foundations which can bear extreme wind conditions, earthquakes, soil bearing capacity and shall comply with relevant India structural design standards policy and guidelines framed from time to time.

4. NOC will not be issued to those who violate these bye-laws.

16. Fees on Advertisements:

1. The advertisement fee shall be payable in advance annually / quarterly / monthly basis as the case may be fixed by the Municipality from time to time provided that if the rate of fee is chargeable on annually, quarterly or monthly basis, the fractions there of shall be construed accordingly.

2. New Advertisement shall not be exhibited unless the advertisement fee in advance as per the condition of sanction is deposited.

3. Full monthly fee shall be chargeable if the advertisement duration is for more than 10 days. A month for this purpose shall be the calendar month-provided that where advertisement are to be displayed for part of a year and the fees fixed in the schedule are for one year, the fees payable part of the year shall be calculated on quarterly basis.

4. The fees shall be paid by the advertiser to the Municipal Council Chamba before the erection of the advertisement.

Calculation of fees:

The advertisement fees should be calculated on the basis of the following factors:—

(a) Category of the advertisement- **Equal for all 1 factor**

(b) Size of the advertisement- **as per sqm. House approval 100 and 300 per sqm.**

(c) Location of the advertisement- **Equal for all 1 factor**

The value of the factors shall be decided by the general house of the Municipal Council Chamba for the first time and future amendments can be done by the Advertisement Regulations committee.

17. Functions of the Advertisement Regulation Committee:

(i) The advertisement Regulation Committee shall identify the area of special control and prepare advertisement/zoning plans indicating the categories of advertisement devices permissible in different areas of Special Control.

(ii) In case any practical difficulty arises with respect to implementation of these byelaws of the zoning plans, the matter shall be referred to advertisement regulation committee who shall on reference consider and make suitable recommendations to the Sr. Executive Officer for the decision.

18. Penalties:

Whoever contravenes any of these bye-laws shall be punishable with fine of Rupees 500/- for everyday, which may extend up to Ten thousand Rupees, when the contravention is continuing one.

19. Arbitration:

If any dispute regarding advertisement holdings arises between Municipal authorities and any other person concerned with such advertisement holdings, such dispute may be referred by both parties to the Deputy Commissioner Chamba, who shall be sole arbitrator.

20. Jurisdiction:

All disputes shall be subject to the jurisdiction of the Civil Courts at Chamba only.

21. Indemnity:

A licensee/sign owner/applicant (licensee) shall be required to indemnify the Municipal Authority for the designated Advertising Device and activities against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon the Municipal Authority which arise as a result of the installation or existence of an Advertising Device. Such licensee/sign owners/applicant (licensee) shall always be responsible for any injury or damage caused or suffered by any person or property arising out of or relating to the display of device advertisement and the consequential claim shall be borne by the advertiser who will also indemnify and safe guard the Municipal Authority in respect of any such claim or claims.

22. Removal of Illegal holdings:

In case any holdings are found illegal, the Sr. Executive Officer may order its immediate removal subject to giving seven days prior notice. Removal shell be done by the Council, whose cost shall be borne by the defaulter himself. However, in case any holdings pose danger to the safety of general public requirement of serving seven days prior notice shall be dispensed with.

23. Insurance:

The Licensee in case of Category 1 and 2 Advertising Devices shall provide a public liability insurance policy for their respective rights, interests and liabilities to third parties in respect of accidental death or bodily injury to person(s) or damage to property.

The public liability Policy of Insurance shall be for an amount as specified by Municipal Authority for any single event (or such higher amount as may be notified in writing by the Municipal Authority from time to time) and on the terms as specified by the Municipal Authority.

24. Appeals:

(a) Appeal against any decision of the Sr. Executive Officer relating to display of advertisement or any matter related thereto shall lie before, Director Urban Development Department.

(b) Before lodging an appeal, the affected person shall seek a review of the decision

25. If there is any contradiction between these bye-laws and any judgment passed by Hon’ble Apex court or High Court of Himachal Pradesh, then decision of Hon’ble court shall prevail over these bye-laws.

26. When a person desires to remove the advertisement, he will put the space as it was before.

Schedule-I Permissibility of different category of advertising devices 9.1 Category1- Devices

9.1 Category1- Devices		
Sl. No.	**Description of device**	**Status**
	Permitted Subject to General and Specific Permission Criteria.	Not Permitted
1.1	**Billboards/Unipoles/Bipoles**	
I.	Industrial Area	Permitted
II.	Commercial Area	Permitted
III.	Recreation Areas	Permitted
IV.	Crematoriums and Burial grounds	Not Permitted
V.	Transportation areas like bus terminals/truck terminals etc.	Permitted
VI.	Other areas like residential area, Institutional, heritage, monument etc.	Not Permitted
VII.	On rooftops of residences	Not Permitted, except With the permission of Sr. Executive Officer, M.C. Chamba
VIII.	On mobile vans for purposes of advertising	Not Permitted, except With the permission of Sr. Executive Officer, PNP
1.2	**Tri vision**	
I.	Bridge Panels	Permitted
1.3	**Building Wrap**	
I.	Commercial Area	Permitted
II.	Recreation Areas	Permitted
III.	Other areas like residential area Institutional, heritage, Monument etc., including mixed land use.	Not Permitted

Sd/-
Sr. Executive Officer,
Municipal Council Chamba.

कार्यालय नगर परिषद नगरोटा बगवां कांगड़ा (हि0प्र0)
मेल**:**-municipalcouncilnb@yahoo.com दूरभाष **- 01892&252284**

NOTIFICATION

Dated, the 26 February, 2026

No. MCNB/ 240.—Whereas, the Municipal Council Nagrota Bagwan drafted the **"MUNICIPAL COUNCIL NAGROTA BAGWAN ERECTION, EXHIBITION, AFIXATION OF ADVERTISEMENT AND HOARDING BYE-LAWS 2025"** were published

in the Rajpatra, Himachal Pradesh (extra-ordinary) *vide* Notification of even number 180-183 dated 12-02-2026 for inviting public objections under section 217 read with Section 202 of the Himachal Pradesh Municipal Act, 1994.

And whereas, no objections were received from any quarter within the specified period of 30 days from the date of publication of these draft bye-laws.

Now, therefore, in exercise of the powers conferred by under Section 202 and Section 217 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time, the final **" MUNICIPAL COUNCIL NAGROTA BAGWAN ERECTION, EXHIBITION, AFIXATION OF ADVERTISEMENT AND HOARDING BYE- LAWS 2025"** are hereby notified and published the Rajpatra, Himachal Pradesh (extra-ordinary) for information of the general public as follows, namely :—

MUNICIPAL COUNCIL NAGROTA BAGWAN ERECTION, EXHIBITION, AFIXATION OF ADVERTISEMENT AND HOARDING BYE-LAWS 2025.

1. Short title, commencement and application.—(i) These Bye-laws may be called, "**MUNICIPAL COUNCIL NAGROTA BAGWAN** Erection, Exhibition, Affixation of Advertisement and Hoarding Bye-laws 2025".

(ii) These Bye-laws shall come into force from the date of their publication in the Rajpatra (extra-ordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of Municipal Council Nagrota Bagwan as defined from time to time.

2. Definitions.—(1) In these Bye-laws, unless the context otherwise requires:—

(a) **"Act"** means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time.

(b) **"Applicant"** means any person applying for permission for erection, exhibition, affixation of advertisement and hoarding upon the land and buildings falling within the jurisdiction of Municipal Council Nagrota Bagwan which include the Government/Semi Government and Private buildings.

(c**)** **"Authorized Officer"** means any Officer/Official duly authorized by the Municipality or its Executive Officer under these Bye-laws.

(d) **"Hoarding"** means any advertisement to be placed by way of erection, exhibition and affixation or to retain upon or over any land, building, wall, boarding, frame, poster structure or upon in any vehicle including any advertisement exhibited by means of cinematography.

(e) **"Place"** means authorized sites/locations specified by the Municipal Council Nagrota Bagwan for erection, exhibition and affixation of advertisement hoarding with the limits of Municipal Council.

(f) **"Permission"** means sanction/approval granted by the Executive officer or the Officers authorized by him in this behalf for erection, exhibition and affixation of advertisement hoardings.

(g) **"Special Judicial Magistrate 1st Class"** means the Judicial Magistrate having jurisdiction over the area of Municipal Council Nagrota Bagwan under the Act.

(h) words and expressions used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition of advertisement without written permission of the Executive Officer. —(i) No advertisement shall be erected, exhibited, affixed or retained upon or over any land building, wall boarding, frame, post or structure or upon in any vehicle or shall be displayed in any manner, whatsoever in any place within the Municipal area including private land and buildings without the written permission of the Executive Officer granted in accordance with these bye-laws except the advertisement hoardings of the Central, State Government highlighting the achievements of the Governments within the area of Municipal area.

(ii) All such advertisement hoarding erected/installed by any other individual, authority or agency including the public sector undertakings duly owned and controlled by the Government shall be liable to seek prior permission for erection and installation of such hoardings within the territorial jurisdiction of the Municipal area on such fees and other terms and condition as may be fixed in this behalf by the concerned officer under these bye-laws. However, no permission shall be permissible for the hoardings to be installed by Central, State Government highlighting the achievements of the Governments within the Municipal area.

(iii) Any person authority or agent found erecting, exhibiting and affixing the advertisement hoardings illegally, unauthorizedly and without any permission shall be liable for penalty under these Bye-laws and such hoardings alongwith frame structure/vehicle displaying the same shall be impounded.

4. Procedure for application and grant of permission.—(i) Applicant or the person concerned, intending to erect, exhibit and affix the advertisement hoardings within the area of the Municipality shall in writing submit the detail of the location/site, size of hoarding to be occupied for such installation to Executive Officer or the Officer authorized in this behalf.

(ii) The application submitted by the applicant shall be verified by the concerned branch dealing with hoarding permission who shall after spot inspection process the same for the approval of the authority for grant of necessary permission in favour of the applicant after assessing the hoarding charges for erection, affixation and exhibition of such hoarding and convey the same to the applicant before granting permission.

(iii) The permission for erection, affixation and exhibition of advertisement hoarding shall be accorded only after obtaining receipt of the amount to be deposited by the applicant in the Municipality on this account.

(iv) The place for erection, affixation and exhibition of advertisement hoarding shall be communicated to the applicant by the concerned branch of the Municipality in writing and the name of the place/site of erection, affixation and exhibition of advertisement hoarding by the applicant shall also be mentioned on the hoardings to be affixed/erected and installed alongwith the date and period of sanction on such hoarding. Further, intimation of the same shall also be given to Municipality or to the concerned agency or the contractor hired or engaged by the Municipality for managing the sites for erection, affixation and exhibition of advertisement hoardings.

(v) In the case of advertisement affixed, erected and installed upon vehicle, a person shall have to carry the original permission, a copy of which shall be affixed on the windscreen of the vehicle and the same shall have to be shown to the authorized officer of the Municipality at the time of inspection. Further, all other persons, authority or agency shall also be liable to show the sanction to the inspecting staff of the Municipality at any time.

(vi) The permission granted by the Municipality for erection, exhibition and affixation of advertisement hoarding shall be time specific and after expiry of period of permission, the concerned person, authority and agency shall be liable to remove the same forthwith failing which the same shall be removed by the Municipality at the risk cost and responsibility of the person concerned. In addition, the Authorized Officer shall impose penalty at the rate of Rs. 1000.00 per day and amount shall be recovered from the concerned as per the provisions contained in Section 87 of the H.P. Municipal Act, 1994.

(vii) In case the advertisement hoarding is affixed on the private land or building including shops and the person concerned have failed to release the amount of fees to be paid to the Municipality on account of such sanction, the Authorized Officer in addition to the aforesaid penalty shall take steps to withdraw civic amenities granted in favour of the person concerned and also to make request to concerned authority for withdrawal of sanction/recognition granted by them in favour of the person concerned.

(viii) The size of the hoarding shall not be more than the size as fixed by the Municipality and all the advertisement hoarding shall be installed in the specified area and no hoarding shall installed in heritage area or in valley side above the road level and on the roofs of the buildings. All the hoardings must be installed, erected in a way so as to preserve the aesthetics, scenic beauty and the view of the hills.

(ix) No advertisement hoarding shall be erected on sharp and blind curves and should not be located in oblique to the road on any natural water source, tree, water line, Municipal drain, fire hydrant and on garbage container and at a place where it effects the growth of flora etc.

(x) No advertisement hoarding shall be permitted within restricted area except the advertisement hoardings to be installed by the specific orders of the State Government for a particular occasion.

(xi) The Authorized Officer in the exceptional circumstances or in the larger public interest may permit any person, authority or agency to erect, exhibit or affix the advertisement hoardings pertaining to social or State and National interest matter only for a period of 7 days in any area including Core/Heritage area.

(xii) No advertisement hoarding in contravention of any law, rules norms, notification or direction issued by the State Government or by the Municipality shall be erected, affixed and installed within the limits of Municipal area. Further the directive issued by any Court of law in this regard shall be binding upon all the concerned.

5. Rates for affixation, erection and installation of advertisement hoarding: The rate for affixation, erection and installation of advertisement hoardings within the jurisdiction of

Municipal Council Nagrota Bagwan shall be charged @ Rs. 300/- (Rupees Three Hundred only) per square feet per month. In addition to the above fee, GST and any other taxes/charges as imposed or revised by the Government from time to time shall be payable separately by the applicant/person seeking permission.

6. Duties and responsibilities of the applicant.—(i) It shall be the duty and responsibility of the applicant to make available all the sanctions/ permissions granted by the competent authority to the said person, authority or agency to whom such permission has been granted by the Municipality and to follow the instructions/guidelines issued by the Municipality or by the Central/State Government in this regard from time to time.

(ii) Whosoever is found affixing, erecting and exhibiting the advertisement hoarding at a place other than the places so approved for such purpose and in contravention of conditions specified by the Municipality, in such sanction the person, authority and agency shall be liable jointly for penalty under these Bye-laws in addition to the penalties already provided under the H.P. Municipal Act, 1994.

7. Compounding of offences.—All the offences punishable under these Bye-laws may, before, the institution of prosecution, be compounded by such officer as may be authorized by the Municipality or its Authorized Officer in this behalf, on payment of such sum as may be specified by such officer under these Bye-laws.

8. Offences to be tried summarily.—The offences which are not compounded shall be tried in a summary manner by the Special Judicial Magistrate 1st Class having jurisdiction of the Municipal area as per provision contained under law.

9. Penalty.—(i) Whosoever, is found guilty of affixing, erecting and exhibiting the advertisement hoarding at a place other than the place(s) specified/notified by the Municipality the rate of penalty shall be Rs. 1500.00 per square feet per day to be calculated from the date of erection/affixation of such unauthorized hoarding and till its removal by the concerned or by the Municipality.

(ii) In case of repeated violation and the person concerned failed to release the due amount including penalty to the Municipality within a period of 15 days, as the case may be, he/she shall also be liable for disconnection of water, electricity and others civic amenities and the Municipality may request the competent authority for withdrawal of recognition and registration, if any, granted in his/her favour including withdrawal of building sanction granted in favour of the owner concerned if such unauthorized hoarding is found erected upon the building concerned.

10. Repeal and Savings.—The scheme regulation, bye laws if any, relating to affixation, erection and exhibition of advertisement hoardings is hereby repealed. Anything done or any action taken under the said scheme, bye laws and Regulations the same shall be deemed to have been done or taken under the provisions of these Bye-laws.

Executive Officer,
Municipal Council Nagrota Bagwan.

LABOUR EMPLOYMENT & OVERSEAS PLACEMENT DEPARTMENT

NOTIFICATION

Shimla-171 002, the 17th April, 2026

No: LEP-E/1/2024 In exercise of the powers vested under section 17 (1) of the Industrial Disputes Act,1947, the Governor Himachal Pradesh is pleased to order the publication of awards of the following cases announced by the **Presiding Judge, Labour Court-**cum-**Industrial Tribunal, Shimla, H.P.** on the website of the Printing & Stationery Department, Himachal Pradesh *i.e.* **"e-Gazette":—**

Sl. No.	Case No.	Petitioner	Respondent	Date of Award/ Orders
1.	App. 76/2022	Dinesh Kumar	IVY International School, & Anr	09-03-2026
2.	App. 77/2022	Chandermani	IVY International School, & Anr	09-03-2026
3.	Ref. 18/2024	Fakeer Mohd.	Controller/ MANAGER Frontline	12-03-2026
4.	Ref. 180/2018	Gurdev Singh	M/s Time Technoplast Ltd.	13-03-2026
5.	Ref. 52/2025	Rajinder Sharma	M/s Hetro Labs Ltd.	14-03-2026
6.	Ref. 20/2025	Suresh Kumar	Scott Edil Advance	14-03-2026
7.	Ref. 199/2021	Sardar Singh	M.D. Microtek Himachal Power	14-03-2026
8.	Ref. 75/2017	Jai Chand	M/s Dainik Bahaskar Group & Anr	30-03-2026
9.	Ref. 76/2017	Mohan Chauhan	M/s Dainik Bahaskar Group & Anr	30-03-2026
10.	Ref. 77/2017	Yash Pal Kapoor	M/s Dainik Bahaskar Group & Anr	30-03-2026
11.	Ref. 78/2017	Rai Singh	M/s Dainik Bahaskar Group & Anr	30-03-2026

By order,

PRIYANKA BASU INGTY, IAS,
Secretary (Lab. Emp. & O.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Application No. : 76 of 2022

Instituted on : 23-05-2022

Decided on : 09-03-2026

Dinesh Kumar s/o Shri Jiya Lal, r/o Village Chamyana, P.O. Kamla Nagar, Tehsil & District Shimla, H.P. ..*Petitioner.*

VERSUS

1. IVY International School, IVY City, P.O. Kamla Nagar (Bhattakufar), Sanjauli, Shimla, through its Principal.

2. Sanvi Education Society, Mahajan Niwas, Kasumpti, Tehsil & District Shimla through its Secretary. ..*Respondents.*

Claim petition on behalf of claimant/petitioner.

For the petitioner : Sh. Ravi Tanta, Advocate

For the respondents : Sh. Anoop Thakur, Advocate.

AWARD

The present claim petition has been filed by the petitioner directly before this Court averring therein that he was engaged as driver by respondent no.1 from the year 2017 on consolidated remuneration of Rs. 12,000/- per month. It is further averred that respondent no. 1 is Senior Secondary School being managed and run by respondent no. 2 (society) registered under the Society Registration Act, 2006. The petitioner discharged his duties as assigned to him by his superiors with full sincerity, honesty, devotion and to the entire satisfaction of his superiors as he was never warned or reprimanded during his service carrier. In the month of Feb., 2020, the services of the petitioner were orally terminated without any reason. Thereafter the petitioner approached the Conciliation Officer, Shimla, where the conciliation was tried but failed, hence, this claim.

2. Notice of this claim was sent to the respondents, in pursuance thereof, respondents contested the claim by filing reply whereby the respondents took preliminary objections of maintainability, petitioner is not a workman and the petitioner is guilty of suppressio vari and suggestio falsi and is not entitled any relief. On merits, it was submitted that the services of the petitioner were on contractual basis and was required to be renewed in the beginning of season i.e. in the month of march, but the petitioner failed to report in the School in the month of March as such his contract could not be renewed and prayed for the dismissal of the claim petition.

3. No rejoinder was filed. On the pleadings, this Court formulated the following issues on 04.03.2023.

1. Whether the termination of the services of petitioner *w.e.f.* February, 2020 by respondent, without complying with the provisions of the Industrial Dispute Act, 1947, is illegal and unjustified? If yes, what relief the petitioner is entitled to? ..*OPP.*

2. Whether the claim petition is neither competent nor maintainable in the present form, as alleged? ..*OPR.*

3. Relief.

4. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed, but neither the petitioner had appeared in the Court to state his case on oath nor led any evidence. The case was adjourned several times for evidence of the petitioner and even after lapse of 3 years, petitioner failed to appear in the court to depose nor he had produced any document as such evidence of the petitioner was closed by the order of the Court. Whereas, respondent has also close the evidence vide separate statement of learned counsel for the respondent.

5. I have heard the learned counsel for the parties and have also perused the records of the case carefully.

6. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:—

Issue No. 1 : No. Not entitled to any relief.

Issue no. 2 : No.

Relief : Application is answered in negative as per operative part of the award.

REASONS FOR FINDINGS

ISSUE NO. 1.

7. The onus to prove issue no.1 was on the petitioner. Most importantly, it is particular to mention here that after striking out of issues on elucidating the pleadings of the parties on 04.03.2023, the petitioner was asked to produce the entire evidence before the Court. The case was taken up for petitioner's evidence on 02.05.2023 and subsequently adjourned for 01.06.2023, 16.06.2023, 20.11.2023, 10.01.2024, 08.04.2024, 09.09.2024, 18.12.2024, 14.07.2025, 31.10.2025, 06.01.2026 and 09.03.2026. The perusal of case record would reveal that the petitioner had availed several opportunities in past three (3) years to adduce his evidence before the Court. It is a matter of great concern that despite number of opportunities granted to the petitioner for the past three (3) years, no evidence has been led from the side of the petitioner. Not only this, vide order dated 06.01.2026, Ld. Counsel for the petitioner was apprised of the fact that no further opportunity shall be given at any cost and the case was adjourned for recording the evidence of the petitioner on 09.03.2026. This Court is constrained to draw inference that the petitioner is not interested in pursuing his cause further by way of leading his evidence. The case is lingering on for the fault of none than other but the petitioner himself. At the cost of repetition it is again stated that after availing several opportunities the petitioner failed to lead any evidence in support of his case. Thus, there is nothing on record to substantiate that the respondent had terminated the services of the petitioner illegally and against the mandatory provisions of the Act, hence, issue no. 1 is answered against the petitioner and in favour of respondents.

ISSUES NO. 2.

8. The onus to prove this issue was on the respondents. However, the respondents have not lead any evidence in support of this issue, therefore, this issue is answered against the respondents.

RELIEF

9. As a sequel to my above discussion, the claim filed by the petitioner fails and is hereby dismissed by holding that the petitioner is not entitled to any relief. Let a copy of this award be communicated to the appropriate government for publication in the official gazette. File, after completion, be consigned to records.

Announced in the open Court today this 9th day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court*,

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**.

Application No. : 77 of 2022

Instituted on : 23-05-2022

Decided on : 09-03-2026

Chandermani s/o Sh. Sunder Ram, r/o Village Manlog, P.O. Hanuman Badog, Tehsil Arki, District Shimla, H.P. ..*Petitioner*.

VERSUS

1. IVY International School, IVY City, P.O. Kamla Nagar (Bhattakufar), Sanjauli, Shimla, through its Principal.

2. Sanvi Education Society, Mahajan Niwas, Kasumpti, Tehsil & District Shimla through its Secretary. ..*Respondents*.

Claim petition on behalf of claimant/petitioner.

For the petitioner : Sh. Ravi Tanta, Advocate

For the respondents : Sh. Anoop Thakur, Advocate

AWARD

The present claim petition has been filed by the petitioner directly before this Court averring therein that he was engaged as driver by respondent no.1 from the year 2018 on consolidated remuneration of Rs. 13,000/- per month. It is further averred that respondent no. 1 is Senior

Secondary School being managed and run by respondent no. 2 (society) registered under the Society Registration Act, 2006. The petitioner discharged his duties as assigned to him by his superiors with full sincerity, honesty, devotion and to the entire satisfaction of his superiors as he was never warned or reprimanded during his service carrier. In the month of Feb., 2020, the services of the petitioner were orally terminated without any reason. Thereafter the petitioner approached the Conciliation Officer, Shimla, where the conciliation was tried but failed, hence, this claim.

2. Notice of this claim was sent to the respondents, in pursuance thereof, respondents contested the claim by filing reply whereby the respondents took preliminary objections of maintainability, petitioner is not a workman and the petitioner is guilty of suppressio vari and suggestio falsi and is not entitled any relief. On merits, it was submitted that the services of the petitioner were on contractual basis and was required to be renewed in the beginning of season i.e. in the month of march, but the petitioner failed to report in the School in the month of March as such his contract could not be renewed and prayed for the dismissal of the claim petition.

3. No rejoinder was filed. On the pleadings, this Court formulated the following issues on 04-03-2023.

1. Whether the termination of the services of petitioner *w.e.f.* February, 2020 by respondent, without complying with the provisions of the Industrial Dispute Act, 1947, is illegal and unjustified? If yes, what relief the petitioner is entitled to? ..*OPP*.

2. Whether the claim petition is neither competent nor maintainable in the present form, as alleged? ..*OPR.*

3. Relief.

4. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed, but neither the petitioner had appeared in the Court to state his case on oath nor led any evidence. The case was adjourned several times for evidence of the petitioner and even after lapse of 3 years, petitioner failed to appear in the court to depose nor he had produced any document as such evidence of the petitioner was closed by the order of the Court. Whereas, respondent has also close the evidence vide separate statement of learned counsel for the respondent.

5. I have heard the learned counsel for the parties and have also perused the records of the case carefully.

6. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:—

Issue No. 1 : No. Not entitled to any relief.

Issue no. 2 : No.

Relief : Application is answered in negative as per operative part of the award.

REASONS FOR FINDINGS

ISSUE NO. 1.

7. The onus to prove issue no. 1 was on the petitioner. Most importantly, it is particular to mention here that after striking out of issues on elucidating the pleadings of the parties on 04.03.2023, the petitioner was asked to produce the entire evidence before the Court. The case was taken up for petitioner's evidence on 02.05.2023 and subsequently adjourned for 01.06.2023, 16.06.2023, 20.11.2023, 10.01.2024, 08.04.2024, 09.09.2024, 18.12.2024, 14.07.2025, 31.10.2025, 06.01.2026 and 09.03.2026. The perusal of case record would reveal that the petitioner had availed several opportunities in past three (3) years to adduce his evidence before the Court. It is a matter of great concern that despite number of opportunities granted to the petitioner for the past three (3) years, no evidence has been led from the side of the petitioner. Not only this, vide order dated 06.01.2026, Ld. Counsel for the petitioner was apprised of the fact that no further opportunity shall be given at any cost and the case was adjourned for recording the evidence of the petitioner on 09.03.2026. This Court is constrained to draw inference that the petitioner is not interested in pursuing his cause further by way of leading his evidence. The case is lingering on for the fault of none than other but the petitioner himself. At the cost of repetition it is again stated that after availing several opportunities the petitioner failed to lead any evidence in support of his case. Thus, there is nothing on record to substantiate that the respondent had terminated the services of the petitioner illegally and against the mandatory provisions of the Act, hence, issue no. 1 is answered against the petitioner and in favour of respondents.

ISSUES NO. 2.

8. The onus to prove this issue was on the respondents. However, the respondents have not lead any evidence in support of this issue, therefore, this issue is answered against the respondents.

RELIEF

9. As a sequel to my above discussion, the claim filed by the petitioner fails and is hereby dismissed by holding that the petitioner is not entitled to any relief. Let a copy of this award be communicated to the appropriate government for publication in the official gazette. File, after completion, be consigned to records.

Announced in the open Court today this 9th day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Reference No. : 18 of 2024

Instituted on : 19-03-2024

Decided on : 12-03-2026

Fakeer Mohd s/o Shri Nasirudeen Village Dilman, P.O. Kujji, Tehsil Pachhad, District Sirmaur, HP. ..*Petitioner.*

VERSUS

1. Controller/Manager Frontline (NCR) Business Solution Pvt. Ltd., Frontline house B-48, Ground Floor, Naraina Industrial Area, Phase-II, New Dehli.

2. Branch Manager HDFC Dilman Branch Tehsil Pachhad, District Sirmaur, H.P.

..*Respondents.*

Claim petition under Section 2-A of the Industrial Disputes Act, 1947.

For the petitioner : Sh. A.K Gupta, Advocate

For the respondents : Ex-parte.

AWARD

The present claim petition has been filed by the petitioner directly before this Court under the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act) to set aside the illegal oral termination dated 17.05.2023 passed by the respondents and further to reinstate the services of the petitioner with all consequential service benefits including full back-wages.

2. The case as set up by the petitioner in the statement of claim is that he was engaged as security guard through a contractor at HDFC Dilman Branch by respondent no.1 in the year 2014 and for the last so many years, the petitioner served honestly and sincerely with a meager salary and lastly he was drawing `11064/- per month. In the month of June, 2023 the petitioner was asked to go to HDFC Bank Chhath, Tehsil Derabasi (Punjab) without setting any terms and conditions and without any TA and DA and that too without option of the petitioner as the petitioner was a poor person and he could not afford to go to such a far of place. It is further averred that the work was available at HDFC Branch Dilman and in place of petitioner some other person was appointed as a security guard which amount to unfair labour practice as the petitioner could not be substituted by some other security guard till he was ready to work. The petitioner was not allowed to work at Dilman branch which amounts of illegal retrenchment from service as defined in Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The petitioner was in continuous service since 11.6.2014 to 17.05.2023 and had completed 240 days of service in each calendar year. The petitioner served demand notice dated 5.8.2023, but the matter was not referred to this Court, hence, the present claim was directly filed before this Court. After illegal termination of the petitioner, he is not gainfully employed anywhere. It has been prayed through this claim petition that the petitioner be reinstated in service with full back-wages etc.

3. Notice of this claim was sent to the respondents, but despite having been served in accordance with none appeared on be half of respondents as such both the respondents were proceeded against *ex-prate vide* order dated 21.08.2024.

4. Thereafter, the petitioner was directed to led his ex-parte evidence in support of his case. The petitioner appeared into the witness box as PW-1 to depose that he was engaged as Security Guard in HDFC Bank Dilman Branch District Sirmour, H.P. on 11.06.2014 and he worked continuously up till 16.07.2023. He further deposed that he had completed 240 days in each calendar year and he was getting salary of `11,000/- per month. He was transferred to Chath Branch Derabassi Punjab on 16.07.2023. At the time of transfer he was not given any salary hike or any increment. His services were orally terminated by the respondents without any notice and payment of compensation. He had visited the respondent for his reengagement but he was not allowed to resume his duties as new person had been engaged in his place. He further deposed that he is not gainfully employed any where since his termination. No notice has been issued nor any enquiry had been conducted before his oral termination. So much so no compensation has been paid to him. One person namely Jitender Kumar s/o Shri Ashok Kumar was engaged by the respondent after terminating his services. He has also placed on record demand notice Ex. PW-1/A and transfer order Ex. PW-1/B.

5. This is the entire evidence which has been led by the petitioner in support of his case.

6. I have heard the learned counsel for the petitioner and have also perused the records of the case carefully.

7. So far as the case of the petitioner is concerned, it is the case of the petitioner that he was the employee of respondent no.1 and was deputed with respondent no. 2 in the year 2014. The petitioner has placed on record transfer letter Ex. PW-1/B issued by respondent no.1 vide which the petitioner was shifted from Dilman Branch to Chhath Branch, Derabassi (Punjab). The respondents have not come forward to state their version in this regard nor the terms of employment/appointment letter of the petitioner have been produced before this Tribunal by the respondents to establish that there was any stipulation while appointing the petitioner that he could be transferred from Dilman to any other place. Admittedly, the petitioner was an employee of respondent no.1 contractor and was deputed with respondent no. 2. The petitioner was working on meager salary of about Rs. 11,000/- per month as such the transfer/shifting of petitioner appears to be with intention to break the workmen's financial backbone. The petitioner has served with respondents for several years without there being any complaint or disciplinary action against him, till he was transferred/shifted from HDFC Dilman Branch to Chhath Brach at Derabasi (Punjab). It has been held by the Hon'ble High Court of Punjab & Haryana in case titled as M/s Crystal Phosphates Ltd., and Anr. Vs. Presiding Officer, Industrial Tribunal, Amritsar & Ors, 2015 LLR 1257, that:—

> "4. I do not see any contradiction in the two, as displacement overheads and hardship caused by transfer can be taken judicial notice of and requires no special evidence to understand. This is so much true of all transfers and posting which entail undue hardship especially for low salaried persons, besides the terrible prospect of hunting for a room on rent in the place of transfer and shouldering costs of running two establishments that might

break the workman's financial back bone. The labour court has found on the evidence on record that there was sufficient room in the management for retention of a Driver at Amritsar. The transfer to Bhatinda or Ludhiana which both far away destinations from Amritsar and that too without specifying either of which stations to report to, was quite clearly a case of victimization and the transfer itself is in colourable exercise of employer's rights. This appears to be the drift and quintessence of the impugned award passed on August 3, 2015 by the Presiding Officer, Industrial Tribunal, Amritsar, granting reinstatement and 50% of the arrears of back wages.

5 …….

6. Entry 7 in the Fifth Schedule to the Industrial Disputes Act, 1947 declares transfer of a workman *mala fide* from one place to another, under the guise of following management policy to be an unfair labour practice. The right to choose the place of posting in the appointment letter may be management's right but the condition cannot be used arbitrarily since all rights must be exercised reasonably. Reasonableness is part of the apparatus in Article 14 which protects public and private employment without any distinction. Appointment letter in private employment are usually one sided and it is the business of the labour courts and Tribunals to set the balance right.

8. To transfer an employee/worker no doubt is the right of employer, but the same must the exercised reasonably and it cannot be used arbitrarily. In the case in hand, respondents have not stopped here, but after shifting the petitioner one person namely Jitender Kumar was engaged as security guard without affording any opportunity to petitioner which tantamounts to oral termination of the petitioner.

9. In view of discussions made above, the transfer of petitioner by respondent no.1 appears to be a colour able exercise of powers. Accordingly, shifting order issued by respondent no.1 is liable to be set aside and quashed.

10. Now, the last question which has been raised by the petitioner through this claim petition is that he is not only entitled for reinstatement with seniority and continuity but also for back-wages. The petitioner in his statement of claim as well as by way of examination-n-chief has averred that he is not gainfully employed after his illegal termination It is settled that the entitlement of any employee to get re-instated does not necessarily and mechanically result in payment of full or partial back-wages which is independent of re-instatement and host of factors like the manner and method of selection and appointment, nature of appointment whether ad-hoc, short term, daily wage, temporary and permanent in character and length of service, which the workman had rendered with the employer, are required to be taken into consideration before passing any order for award of back-wages. This position was reiterated in **Kanpur Electricity Supply C. Ltd. Vs. Shamim Mirza (2009) 1 SCC 20** as well as in **Ritu Marbles Vs. Prabhankant Shukla (2010) 2 SCC 70**.

11. In the case in hand the petitioner has shown that he was not gainfully employed anywhere. In **Kendriya Vidyalaya Sangathan Versus S.C. Sharma (2005) SCC 363**, the Hon'ble Apex Court held that in question of determining the entitlement of a person to back wages, the employee has to show that he/she was not gainfully employed. The initial burden is on the employee to prove that. The Hon'ble Apex Court in **National Gandhi Musuem Vs. Sudhir Sharma (2-21) 12 SCC 439** has considered this aspect and held as under:—

"Whether an employee after dismissal from service was gainfully employed is something, which is within his special knowledge. Considering the principle incorporated in Section 106 of the Indian Evidence Act, the initial burden is on the employee to come out with the case that he was not gainfully employed after the order of termination. It is a negative burden, however, in what manner the employee can discharge the said burden will depend upon peculiar facts and circumstances of each case. It all depends on the pleadings and evidence on record. Since it is a negative burden, in a given case, an assertion on oath by the employee that he was unemployed, may be sufficient compliance in the absence of any positive material brought on record by the employer."

12. Coming to the case in hand, it stands established that the petitioner was engaged as security guard by respondent no.1 in the year 2014 and he was deputed with respondent no. 2 where he worked continuously till 17.05.2023. Petitioner has worked about ten years with the respondents continuously as such in view of the continuous service which has been rendered by the petitioner with the respondents and in view of the fact that petitioner has discharged the initial burden put on him to show that he is not gainfully employed anywhere and this burden has not been rebutted by the respondents, it stands established on record that the petitioner is not gainfully employed after his oral termination as such he is also entitled to full back-wages.

RELIEF

13. In view of my aforesaid discussion, the claim filed by the petitioner succeeds and is hereby allowed. The shifting order issued by respondent no.1 is ordered to be set aside and quashed. Resultantly, the petitioner is held entitled for re-instatement in service with seniority and continuity at the same place (HDFC Branch Dilman) and post. The respondent no.1 is directed to re-engage the petitioner in service forth-with with seniority and continuity along-with full back-wages. The payment of back-wages shall be payable within a period of two months from the date of announcement of this award failing which the same shall carry interest @ 9% per annum. The reference is answered in the aforesaid terms.

14. Let a copy of this award be communicated to the appropriate Government for publication in the official gazette. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 12th day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Reference No. : 180 of 2018

Instituted on : 01-11-2018

Decided on : 13-03-2026

Gurdev Singh S/o Shri Prithi Singh, r/o Village Billanwali-Gujjaran, Tehsil Baddi, District Solan, H.P. ..*Petitioner*.

VERSUS

The Factory Manager/occupier M/s Time Technoplast Ltd. (Formerly known as Time Packing Ltd) Village Dharampur, P.O. Thana, Tehsil Baddi, District Shimla, H.P. ..*Respondents.*

Reference under Section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri J.C Bhardwaj, AR.

For the respondent : Shri Neelam Sharma, Advocate.

AWARD

The following reference was received for adjudication from the appropriate Government:—
"Whether termination of the services of Sh. Gurdev Singh S/o Shri Prithi Singh R/o Village Billanwali-Gujjaran, Tehsil Baddi, District Solan, HP by the Factory Manager/occupier M/s Time Technoplast Ltd. (Formerly known as Time Packing Ltd) Village Dharampur, P.O. Thana, Tehsil Baddi District Shimla H.P. *w.e.f.* 01.01.2017 without complying with the provisions of Industrial Disputes Act, 1947, as alleged by the workman is legal and justified? If not, what amount of back wages, reinstatement, seniority, past service benefits and compensation the above ex-worker is entitled to from the above management?"

2. The facts as emerges from the statement of claim are that during the month of Jan. 1996, the petitioner was employed as driver by the respondent company and was driving heavy vehicles including trucks of the respondent company till his illegal removal from service on 01.01.2017. The last wages as drawn by the petitioner was `7095 per month plus `150/- as daily allowance. The services of the petitioner were terminated under the formula of "hire and fire" without assigning any reason despite the fact that he had completed 240 days in every calendar year and also in preceding twelve months from the date of his termination. The services of the petitioner were terminated without any notice and retrenchment compensation as required under Section 25-F of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act). The work and conduct of the petitioner was satisfactory as neither he was served with any chargesheet nor any enquiry was conducted in accordance with the law of natural justice. After retrenching the services of the petitioner, the respondent had employed new hands as drivers in the employment in violation of the provisions of Sections 25-G & 25-H of the Act. It has been prayed through this claim that the petitioner be reinstated in service from the date of his termination with full back wages, seniority and other consequential service benefits.

3. Notice of this claim was sent to the respondent, in pursuance thereof the respondent contested the claim by filing reply wherein it took preliminary objections of maintainability, the petitioner has not come to the Court with clean hands, suppressed the material facts and there is no relation of employee and employer between the petitioner and respondent. On merits, it is not disputed that in the year 1996, the petitioner was employed as driver by the respondent company. It is averred that the petitioner was working with the respondent as driver and in the year 2008, he stopped attending his duties and remained absent from his duty without any information to the respondent. Thereafter, the petitioner came in the factory premises and tendered his resignation and received his full & final amount from the respondent and then he never turned to the respondent. The services of the petitioner were never terminated by the respondent. Petitioner in the year 2008 himself choose to abandon his service. Since, 2008 there is no employer employee relationship between the respondent and the petitioner. The petitioner has filed the present petition to extort the money from the respondent. It is denied that the petitioner is unemployed and prayed for the dismissal of the petition.

4. Rejoinder to the reply was filed by the petitioner in which petitioner denied the preliminary objections and reiterated the averments as made in the petition.

5. On the pleadings, this Court formulated the following issues on 25-02-2022.

1. Whether the termination of the services of the petitioner by the respondent *w.e.f.* 01.01.2017 without complying with the provisions of the Industrial Disputes Act, 1947 is illegal and unjustified as alleged? ..*OPP*.

2. If issue no. 1 is proved in affirmative, then what relief of service benefits the petitioner is entitled? ..*OPP*.

3. Whether the claim filed by the petitioner is not maintainable as alleged? ..*OPR*.
4. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed.

7. Besides having heard the Authorized Representative of petitioner and Ld. Counsel for respondent I have also gone through the record with care.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findin
gs thereon are as under:

Issue No. 1 : No

Issue No. 2 : Not entitled to any relief

Issue No. 3 : Yes

Relief : Reference is answered in negative as per operative part of award.

REASONS FOR FINDINGS

ISSUES NO.1 & 2.

9. Being interlinked and correlated both these issues are taken up together for discussion and decision as the same are intermingled and can be disposed off by common findings.

10. The onus to prove issues no. 1 & 2 is on the petitioner.

11. Coming to evidence led by the petitioner. Petitioner stepped into the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the claim. He also tendered in evidence Goods Tax receipts Ex. P-1 to Ex. P-11, welfare funds receipts issued by the Truck union Ex. P-12 to Ex. P-24 and Truck Loading Slips Ex. P-25 to Ex. P-32.

12. During cross-examination, he denied that the previous name of Sai Jyoti was Sanmati Road Line. He further denied that Truck no. H.P. 12-B 3468 is owned and possessed by Sanmati Road Line. He showed ignorance that Samriti Road Line was a goods carriage company, which was renamed as Sai Jyoti Logistic in 2007. He admitted that he was paid salary some time by Sai Jyoti Logistic and sometime by Time Packaging. He deposed that he has not placed any record regarding the payment of wages by respondent company after 2007. He admitted that bonus has paid to him vide detail mark RX-2. He denied that he remained on the role of Sai Jyoti Company from 2008 to 2016. He further denied that Vehicle no. H.P. 12-8999 and H.P. 12-8998 were owned by Time Techno Plast and handed over to Sai Jyoti. He also denied that there is no relationship of employer and employee between the parties.

13. This is the entire evidence led by the petitioner.

14. In rebuttal, the respondent examined Shri Sunit Jain, Dy. General Manager as RW-1, who tendered in evidence his affidavit Ex. RW-1/A, which is just a reproduction of the averments as made in the reply. He also tendered in evidence authority letter Mark RX-1 and ID Proof Mark RX-2.

15. During cross-examination, he showed ignorance that vehicle no. 12-A 999 and H.P. 12-A 3468 are in the registered ownership of the respondent company. He admitted that both the vehicles were duly insured with the insurance company. He admitted that no notice was issued to the petitioner to resume his duties. Self-stated that the petitioner had abandoned the job himself. He admitted that respondent company was earlier known as Time Packaging and later on named as Time Techno Ltd. He further admitted that the working strength of Time Packaging was also converted to Time Technoplast and the work force remained the same. He denied that the petitioner worked with the company till 01.01.2017.

16. Shri Vinod Kumar, Accountant of Sai Jyoti Logistic appeared in the witness box as RW-2, who also tendered in evidence his affidavit Ex. RW-1/A, wherein he has deposed that he is Accountant in Sai Jyoti Logistic and he is authorized to make a statement on behalf of Sai Jyoti Logistic. Sai Jyoti Logistic Pvt. Ltd. is now named as Go Ex Freight Solutions Pvt. Ltd. He has

stated that the petitioner was working in Sai Jyoti Logistic Ltd., as driver from October, 2008 till April, 2017. He also tendered in evidence authority letter Ex. R-1, salary record Ex. R-2, bonus sheet Ex. R-3, change of the name/registration/memorandum Ex. R-4, applications of the petitioner Ex. R-5 and rent agreement Ex. R-6.

17. During cross-examination this witness denied that Sai Jyoti Logistic is branch of Time Techno Plast. He further denied that the company was known as Time Packaging which has later changed its name to Time Technoplast and now changed the name to Sai Jyoti Logistic. He showed ignorance that the owner of vehicle H.P. 12 8999 and H.P. 12 3468 are registered with Time Techno. He denied that the petitioner was transferred from one place to other without issuing any appointment letter or transfer order. He further denied that the record produced by him in the Court is forged one. He admitted that some of the applications produced by him in the Court are pertaining to Shri Chander Shekhar. Self-stated that he was conductor of the vehicle. He denied that the signatures of the petitioner were obtained on blank papers. He also denied that all the record produced by him has been manipulated and prepared lateron.

18. This is the entire evidence led by the respondent.

19. The claim of the petitioner is that he was employed as a driver by the respondent management during the month of Jan., 1996 and he was driving heavy vehicles including Trucks of respondent company till 01.01.2017 and his last drawn wages were `7,095/- + `150/- as daily allowance. Further the claim of the petitioner is that the respondent company was formerly known as Time Packaging Ltd., Sai Road Baddi and now it is known as M/s Time Tecno Plast Ltd. On the other hand the claim of the respondent is that though the petitioner was employed as driver in the respondent company in the year 1996, but he stopped attending his duties in the year 2008 and remained absent from his duty without any information to the respondent. Thereafter, the petitioner came in the factory premises and tendered his resignation and received his full & final amount from the respondent and then he never turned to the respondent. The services of the petitioner were never terminated by the respondent and he himself had abandoned his job in the year 2008 and there is no relationship of employer and employee between the parties after 2008.

20. Since, the respondent has categorically denied that the petitioner was working with them after 2008 till 01.01.2017, the onus is heavily on the petitioner to prove that he was working with the respondent till 01.01.2017 and had completed 240 days in preceding twelve calendar months prior to his termination. To prove this fact the petitioner has placed reliance to documents Ex. P-1 to Ex. P-11, as well as Welfare Parchi Ex. P-12 to Ex. P-32. The petitioner has not placed on record or summoned any attendance register or any salary slip to establish on record that he was working with the respondent company till 01.01.2017. Since, a specific stand has been taken by the respondent company that the petitioner did not come for work after 2008 whereas the stand of the petitioner is that he had worked till 01.01.2017 with the respondent company as such the onus is on the petitioner to prove that he was working with the respondent and was getting his salary till 01.01.2017 from the respondent. Even, if the documents of the petitioner are seen, Ex. P-1 which of 19.11.2007, Ex. P-2 is of 27.06.2006, Ex. P-3 is of 22.02.2007, Ex. P-4 is of 03.03.2005, Ex. P-5 is of 02.04.2005, Ex. P-6 is of 13.04.2005, Ex. P-7 is of 04.10.2004, ex. P-8 is of 25.05.2003, Ex. P-9 is of 16.03.2006, Ex. P-10 is of October, 2001 and Ex. P-11 is of year 2001. All these documents

goes to show that the petitioner was driving some vehicle either of Sanmati Road Lines, for Time Techno Plast or for Time Packaging till 2007 but there is no document placed by the petitioner to establish that he was working with the respondent after year 2007 till 01.01.2017. Though reliance was also placed by the petitioner on documents Ex. P-12 to Ex. P-32 but these are welfare slips in which neither the name of the petitioner has been mentioned nor the name and address of the issuing authority has been mentioned. Though, these slips are shown to be issued by Nalagarh Truck Union, but these slips are not enough to connect the petitioner in the employment of respondent company till 2017.

21. The respondent has examined one Shri Vinod Kumar as RW-2, who has stated in his affidavit Ex. RW-2/A that he is accountant in Sai Jyoti Logistic and he is authorized to make a statement on behalf of Sai Jyoti Logistic. Sai Jyoti Logistic Pvt. Ltd. is now named as Go Ex Freight Solutions Pvt. Ltd. He has stated that the petitioner was working in Sai Jyoti Logistic Ltd., as driver from October, 2008 till April, 2017. This witness has placed on record the salary record of the petitioner Ex. R-2, bonus sheet Ex. R-3, applications of the petitioner Ex. R-5 and rent agreement Ex. R-6. Salary slip Ex. R-2 which goes to show that the petitioner had been receiving wages, bonus etc., from Sai Jyoti Logistic Pvt. Ltd. RW-2 has categorically denied this fact that the name of Time Technoplast has been changed to Sai Jyoti Logistic. The petitioner has failed to establish on record that Sai Jyoti Logistic who was paying salary to the petitioner *w.e.f.* October, 2008 till April 2017 was or is a sister concern of the respondent company. The suggestion put by Authorized Representative of the petitioner to RW-2 in this regard has been denied by the witness. Though, the petitioner has put suggestion to RW-2 that signatures of the petitioner were obtained on plain papers for applications R-5, but the petitioner has failed to explain that why he had put his signatures on plain paper and submitted the same to Sai Jyoti Logistic Pvt. Ltd. The documents which have been placed on record by the petitioner as well as respondent shows that the petitioner had only worked with the respondent company till 2008 and thereafter, he had worked with Sai Jyoti Logistic Pvt. Ltd till April, 2017.

22. Learned AR for the petitioner had argued that the recorded produced by RW-2 is not admissible in evidence as no oral evidence is there to prove the said record. In this regard, he has placed reliance on **2010 LLR 494 case titled as LIC of India & Anr. Vs. Ram Pal Singh** and on the strength of this authority he argued that no notice of admission or denial of documents was served on the petitioner nor these documents were put to the petitioner during cross-examination. So far as this authority is concerned, in this case only documents were exhibited and no oral evidence was led to prove these documents, but coming to the case in hand, the documents Ex. R-2 to Ex. R-6 have been produced by the authorized official of Sai Jyoti Logistic (RW-2) and thus it cannot be held that these documents have been tendered in evidence without any oral evidence. The petitioner has cross-examined RW-2 at length. Moreover, the strict principles of CPC and evidence Act are not applicable to the proceedings under I.D Act. Since, the authority is distinguishable on facts as such the ratio of this authority is not applicable to the case in hand. The petitioner also placed reliance on judgment of Hon'ble Supreme Court case titled as **D.K Yadav Vs. M/s J.M.A Industries Ltd., Civil Appeal No. 166 (NL) 1983 decided on 07.05.1993** and on the strength of this authority, it was argued that even if it is presumed that the petitioner has abandoned the job in the year 2008, the respondent had not conducted any enquiry into the matter. So far as this authority is concerned, since it has been established on record that after 2008 the petitioner was working with Sai Jyoti Logistic Pvt. Ltd and was getting salary, bonus, moving applications for

leave to Sai Jyoti Logistic Pvt. Ltd. as such there remains nothing for the respondent to prove the fact of abandonment on the part of the petitioner. So far as this authority is concerned, it is not the case of the petitioner that his services have been illegally terminated by the respondent in the year 2008 without payment of compensation or without conducting any enquiry. The case of the petitioner is that he was working with the respondent company since 1996 till 01.01.2017 and his services were terminated by the respondent company illegally without issuing any notice and payment of compensation in the year 2017. The petitioner has miserably failed to prove on record that he was working with the respondent company on 01.01.2017. The onus to prove the fact that the petitioner was working with the respondent company till 01.01.2017 was heavily on the petitioner, however, the petitioner has failed to discharge this onus. From the perusal of record, it stands established that the petitioner was working with Sai Jyoti Logistic Service Pvt. Ltd., after 2008 to 01.01.2017. The petitioner was getting his salary, bonus and was applying for leave to Sai Jyoti Logistic Pvt. Ltd., and now the petitioner cannot be allowed to say that no enquiry has been conducted by the respondent against him in the year 2008. It stands established on record that after 2008 upto 01.01.2017, the petitioner had worked with Sai Jyoti Logistic Service Pvt. Ltd., thus, he has failed to prove on record that their existed any employee-employer relationship between petitioner and respondent company after 2008. Petitioner has not made Sai Jyoti Logistic Service as a party nor has filed any claim against Sai Jyoti Logistic Service nor there is any evidence on record to establish that Sai Jyoti Logistic Service has any concerned with respondent company. Thus, I have no hesitation to conclude that there exists no employee-employer relationship between petitioner and respondent company after 2008. Though, the petitioner had alleged that his services were wrongly terminated by the petitioner but he has failed to establish on record that there was employer-employee relationship between the parties nor there is any evidence to establish that petitioner was working with respondent company upto 01.01.2017 when he alleged his illegal termination.

23. AR for the petitioner also placed reliance on the judgment of Hon'ble Apex Court in case titled as **Ajaib Singh Vs. The Sirhind Co-operative Marketing-cum-Processing Service Society Ltd., & Anr., 1999 LLR 529** and it was argued that the provisions of Limitation Act are not applicable to the proceedings under Industrial Disputes Act, 1947. So far as this authority is concerned, the petitioner has not challenged his termination in the year 2008 rather the claim of the petitioner is that he was terminated by respondent company in the year 2017 which fact the petitioner has miserably failed to establish on record. The ratio of this authority would not help the petitioner to establish on record his relationship of employer-employee with respondent in the year 2017 nor any evidence worth the name has been produced by the petitioner to establish that he had worked with the respondent company till 01.01.2017 and had completed 240 days in preceding twelve calendar months from the date of his alleged termination. The ratio of this authority thus is of no help to the case of the petitioner.

24. In view of the discussion made hereinabove, the petitioner has miserably failed to prove on record that he was the employee of respondent company in the year 2017 and his services were illegally terminated by respondent company on 01.01.2017 as such the petitioner is not entitled to any relief from the respondent company as claimed by him. The issues no. 1 & 2 are decided against the petitioner and answered in negative.

ISSUE NO. 3.

25. Coming to issue no. 3, in view of my findings on issues no. 1 & 2 above and since it has stand estblaish on record that there is no employer-employee relationship between the parties in the year 2017, when the petitioner has alleged his illegal termiantion thus the claim agaisnt respdonent company is not maintainable, accordingly, issue no. 3 answered affirmative.

RELIEF

26. As a Sequel to my above discussion and findings on issues no. 1 to 3, the claim filed by the petitioner fails and is hereby dismissed. Consequently, the present reference is answered in negative by holding that the petitioner is not entitled to any relief from this Court.

27. Let a copy of this award be sent to the appropriate Government for publication as per law. File be consigned to the record room after necessary compliance by Ahlmad.

Announced in the open Court today on this 13th Day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

BEFORE NATIONAL LOK ADALAT HELD ON 14-03-2026
Rajinder Sharma Vs. M/s Hetro Labs Ltd., Baddi

14-03-2026
Present: Nemo.

With the intervention of this Court, the matter *i.e* the reference received from the appropriate Government under Section 10 (1) of the Industrial Disputes Act, 1947 vide notification no. 11-2/93(Lab)ID/2025/Nalagarh, dated 08.07.2025 for adjudication, which was registered as reference no. 52 of 2025 titled as Rajinder sharma Vs. M/s Hetro Labs Ltd., Baddi, stood amicably resolved between the parties during pre lok Adalat held on 24.02.2026. The petitioner has stated that he has compromised the dispute with the respondent company as the respondent company has agreed to re-engage him with seniority and continuity but without back-wages. He has placed on record settlement Ex. P-1 and stated that now nothing service in the present reference and the same be decided in terms of settlement Ex. P-1. To this effect his statement recorded separetly and placed on record.

Vide separate statement Shri Ch. Vankantareddy, Plant Head of respondent company has admitted the aforesaid statement of petitioner to be correct on behalf of respdonent company and prayed that the present case/reference be decided in terms of settlement Ex. P-1.

Therefore, inview of the aforesaid statements, this National Lok Adalat has no hesitation in coming to the conclusion that the parties have settled the dispute amicably. Since, the matter stood amicably settled between the parties, by way of amicable settlement Ex. P-1, therefore, nothing survive in this claim/ reference. The present reference is answered accordingly. The statement(s) both the parties and settlement Ex. P-1 shall form part and parcel of this award.

Let a copy of this award be sent to the appropriate government for publication in the official gazette. File, after completion, be consigned to record room.

Announced:
14.03.2025.

(Poonam)	(Ojaswani Sharma)	(Anuja Sood)
Member.	Member	Chairman,
		National Lok Adalat.

BEFORE NATIONAL LOK ADALAT HELD ON 14-03-2026
Suresh Kumar *Vs.* Scott Edil Advance Research Laboratories, Baddi

14-03-2026
Present: Nemo.

With the intervention of this Court, the matter *i.e* the application filed under Section 2-A of the Industrial Disputes Act, 1947, which was registered as reference no. 30 of 2025 titled as Suresh Kumar Vs. Scott Edil Advance Research Laboratories, Baddi, stood amicably resolved between the parties during pre lok Adalat held on 10.03.2026. The petitioner has stated that he has compromised the dispute with the respondent company as the respondent company has paid Rs. 1,00,000/- (One lac) as full & final payment including gratity through cheque during pre lokadalat on 10.3.2026.

Now nothing srvive in the present reference and the same be decided in accordingly. To this effect his statement recorded separetly and placed on record.

Vide separate statement Shri Arvind Kumar, Manager HR of respondent company has admitted the aforesaid statement of petitioner to be correct on behalf of respondent company and prayed that the present case/reference be decided accordingly.

Therefore, in view of the aforesaid statements, this National Lok Adalat has no hesitation in coming to the conclusion that the parties have settled the dispute amicably. Since, the matter stood amicably settled between the parties, by way of amicable settlement, therefore, nothing survive in this claim/ reference. The present reference is answered accordingly. The statement(s) both the parties shall form part and parcel of this award.

Let a copy of this award be sent to the appropriate government for publication in the official gazette. File, after completion, be consigned to record room.

Announced:
14-03-2025

(Poonam)	(Ojaswani Sharma)	(Anuja Sood)
Member.	Member	Chairman,
		National Lok Adalat.

BEFORE NATIONAL LOK ADALAT HELD ON 14.03.2026.
Sardar Singh *Vs.* M/s Microtek Himachal Power Prodces Solan

14-03-2026
Present: Shri R.K Khidtta, Advocate for petitioner.
Shri Sandeep Sharma, Authorized Signatory for respondent.

With the intervention of this Court, the matter *i.e* the reference received from the appropriate Government under Section 10 (1) of the Industrial Disputes Act, 1947 vide notification no. 11-6/85(Lab)ID/2021/Shimla-Sardar Singh, dated 14.09.2021 for adjudication, which was registered as reference no. 199 of 2021 titled as Sardar Singh Vs. M/s Microtek Himachal Power Prodces Solan, stood amicably resolved between the parties during pre lok Adalat held on 10.03.2026. The petitioner has stated that he has compromised the dispute with the respondent company as the respondent company has agreed to pay lump sum compensation of Rs. 3,00,000/- (Three laksh) as full & final payment including all legal dues. The aforesaid payment of lmp sum compensation shall be paid by the respondent company on or before National Lok Adalat. Now nothing srvive in the present reference and the same be decided in accordingly. To this effect his statement recorded separetly and placed on record.

Vide separate statement Shri Sandeep Sharma, Atuhorized Signatory of respondent company has admitted the aforesaid statement of petitioner to be correct on be half of respdonent company and prayed that the present case/reference be decided accordingly.

The case was taken up today in the National Lok Adalat. Ld. Cousnel for the petitioner has made a statement that compensation amount of Rs. 3 lakhs has been paid to the petitioner in his Bank account through RTG's on 12.03.2026 as such nothing srvive in the present reference and the same be decided accordingly. To this effect his statement recorded separetly and placed on record.

Therefore, inview of the aforesaid statements, this National Lok Adalat has no hesitation in coming to the conclusion that the parties have settled the dispute amicably. Since, the matter stood amicably settled between the parties, by way of amicable settlement, therefore, nothing survive in this claim/ reference. The present reference is answered accordingly. The statement(s) both the parties shall form part and parcel of this award.

Let a copy of this award be sent to the appropriate government for publication in the official gazette. File, after completion, be consigned to record room.

Announced:
14-03-2026

(Poonam) Member.	(Ojaswani Sharma) Member	(Anuja Sood) Chairman, National Lok Adalat.

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Reference No : 75 of 2017

Instituted on : 01-06-2017

Decided on : 2025

Jai Chand Sharma, s/o Sh. Ramesh Dutt Sharma, c/o Sh. Jagat Ram Kashyap, Rangor Building, Near Tehsil Office Kotlanala, Tehsil & District Solan, H.P. ..*Petitioner.*

VERSUS

1. The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002.

2. M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh. ..*Respondents.*

Reference under Section 17(2) of the Working Journalists and other Newspaper Employees (Conditions of Services and Miscellaneous Provisions) Act, 1955.

For the petitioner : Sh. R.R. Thakur, Advocate.

For the respondents : Sh. Surinder Saklani, Advocate.

AWARD

The Labour-*cum*-Conciliation Officer, Shimla Zone Shimla has made the following reference to this Court after failure of the conciliation proceedings:—

> "Whether the action of the employers The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002 and M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh for not paying claim of arrears amounting to Rs. 14,23,623/- (Rs. Fourteen Lac Twenty Three Thousand Six Hundred Twenty Three only) Sh. Jai Chand Sharma, S/O Sh. Ramesh Dutt Sharma, C/O Sh. Jagat Ram Kashyap, Rangor Building Near Tehsil Office Kotlanala, Tehsil & District Solan, H.P. as difference of wages actually drawn and due as per recommendation of Majithia Waged Boards (Copy of claim enclosed) constituted under Section 9 & 13(C) of the Working Journalists and Other Newspaper Employees (Conditions of Services and Miscellaneous Provisions Act, 1955) is legal and justified? If yes, to what amount of relied/ arrear, along-with interest etc., the aggrieved employee is entitled to from the above employer/ management?"

2. The case as emerges from the statement of claim is that petitioner was offered the job of designer through letter dated 01.10.2011. Accordingly, petitioner joined as designer in the establishment of the respondent at their office at Solan on 01.10.2011 on monthly salary of Rs. 9,500/- per month which was revised by the respondents later on. The respondents in group of company named as Dainik Bhaskar Corporation Limited having its register office at Ahmadabad, Gujarat and regional offices throughout India. The respondents employed the required staff for running the business of printing, publishing newspapers under the name and style Dainik Bhaskar. The respondents is also having its office at Solan where the staff of six persons are working on different post and designation and the staff/ workers who were recruited are covered by the Act applicable to the establishment of respondents. The persons who are working in the different newspapers were raising their demands for the enhancement of their wages and have submitted several representations to the Government of India for the increase of their wages under the Act.

The Government of India constituted the Majithia Wage Board under the Act who give its recommendations to fix the wages of the persons working in the different newspapers' establishment in India. The Government of India after considering and examine the recommendations, made it applicable to all the newspaper establishment vide notification dated 11.11.2011. The respondents are bound to pay the wages/salary to their employees according to the recommendations of Majithia Wage Board. The management of respondents along with several other newspapers groups challenged the validity of the Majithia Wage Board recommendation before the Hon'ble Supreme Court of India which was finally dismissed and specific direction was issued to release the benefits of Majithia Wage Board recommendation vide order dated 07.02.2014 within a period of one year along with arrears. The petitioner is working as a designer in the establishment of respondent at Solan since 01.10.2011 as such he is entitled for the benefits of Majithia Wage Board recommendation under category Group-V. The petitioner served notice to the respondents through Labour Officer, Solan under the Industrial Disputes Act read with Working Journalist Act for implementation of recommendation after submitting the calculation of the arrears which is to be paid by the respondents to the petitioner, but the respondents did not appear before the Labour Officer, Solan as such the Labour Officer issued the certificate of recovery against the respondents for the recovery of Rs. 14,23,023/-. The respondents then approached the Labour Commissioner Shimla who recall the recovery certificate and directed the Labour Officer to give an opportunity of being heard to the respondents. The respondent filed reply before the Labour Officer Solan and after consideration of reply the Labour Officer Solan organized the meeting for the settlement of dispute but due to non-co-operation of the respondent the conciliation failed and the matter was referred to this Court for final adjudication. The petitioner is covered under category Group-V as mentioned in the recommendation of Majithia Wage Board as such the respondent was paying only Rs. 6,333/- per month. The petitioner is entitled for Rs. 19,85,493/- from 11.11.2011 to June 2017. The respondent illegally changed the designation of the petitioner from designer to businessmen senior management associate which was done by the respondents at their own without the association of the petitioner. The petitioner is still doing the job of designer. The petitioner has lodged his legitimate claim through demand notice and has claimed his claim as directed by the Hon'ble Supreme Court of India. It is prayed through this claim petition that the respondents be directed to pay Rs. 19,85,493/- along with interest @12% per annum to the petitioner from 11.11.2011 to June 2017 as per direction given by the Hon'ble Supreme Court of India and, the respondents be also directed to pay salary and arrears after June 2017 to the petitioner as per the recommendation of Majithia Wage Board.

3. Notice of this claim was sent to the respondent in pursuance thereof the respondent contested the claim by filing reply wherein it is submitted that the respondent is doing separate business and manage separate balance sheet etc., for Shimla and Shimla office is working independently. Whereas, some employees are working with digital division/ wing and also employed by digital division. As per the directions issued by the Hon'ble Apex Court, only the eligible working and non-working journalists falls under the preview and definition as enshrined under the Act and are entitled for the payment in terms of the Majithia Wage Board recommendation. Every working/ non-working journalists are not eligible or entitled for the salary in terms of Majithia Wage Board recommendation. The respondents have not acted in any manner which is in contravention of the direction of Hon'ble Apex Court. The petitioner knowingly about the in-eligibility of his for getting the benefits as per recommendation has started to take undue

advantages from the respondents. The petitioner has submitted his declaration under clause 20(J) before the respondent whereby he has willfully and with free consent has opted to retain his current salary and emoluments. It is denied that the petitioner is entitled for any arrears of amount from November 2011 to June 2017. The petitioner does not fall under the preview of the definition of either working journalist or non-working journalist. The respondent prayed for dismissal of the claim petition.

4. Petitioner filed rejoinder in which he denied preliminary objections raised by the respondent and also denied the averments as made in the reply and reaffirmed those as made in the statement of claim.

5. On the pleadings, this Court formulated the following issues on 31.07.2018.

1. Whether the action of the employer/ respondent for not paying claim of arrears amounting to Rs. 14,23,623/- (Rs. Fourteen Lac Twenty Three Thousand Six Hundred and Twenty Three only) to the petitioner as differences of wages actually drawn and due as per recommendation of Majithia Wage Board constituted under Section 9 & 13 (C) of the Working Journalists and other Newspaper Employees (Conditions of service and Miscellaneous Provisions Act, 1955) is illegal and unjustified, as alleged? ..*OPP*.

2. If issue no. 1 is proved in affirmative, to what amount of relief/ arrear, along-with interest etc., the petitioner is entitled? ..*OPP*.

3. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed. Petitioner appeared in the witness box as PW-1.

7. I have heard the Ld. Counsel Shri R.R. Thakur, Advocate for the petitioner and Shri Surender Saklani, Advocate for the respondent and gone through the records of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:—

Issue No.1 : No.

Issue No.2 : Not entitled to any relief.

Relief : Reference is answered in Negative as per operative part of the Award.

REASONS FOR FINDINGS

ISSUES NO. 1 & 2

9. Both these issues are intermingled and inter-connected and require common appreciation of the evidence, as such both these issues are taken up together for the purpose of determination.

10. Onus to prove issues no.1 & 2 is on the petitioner.

11. The claim of the petitioner is based upon the fact that Central Government constituted Majithia Wage Board for revision of wages of newspaper establishments and the Majithia Wage Board recommended revision in wages on 01.07.2010. The said recommendations were accepted by the Central Government vide notification dated 11.11.2011. The recommendations of the Majithia Wage Board were notified by the Government, which were challenged by the various newspaper agencies before the Hon'ble Apex Court, however, the Hon'ble Apex Court has upheld the recommendations of the Majithia Board.

12. Before proceeding further, it would be appropriate to first discuss the evidence which is on record.

13. To prove his case, the petitioner stepped into the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. He also placed on record the appointment letter dated 01.10.2011 Ex. PW-1/B, appreciation letter dated 25.05.2012 mark-PX-1, appreciation letter mark-PX-2 and appreciation letter mark-PX-3.

14. During cross-examination, he stated that he is working with the Dainik Bhaskar since 1st October, 2011 and getting salary of Rs. 9,500/- the salary used to come from the Shimla Office. He stated that he has knowledge about the Majithia Wage Board recommendations and he was appointed as a designer in the Dainik Bhaskar. He stated that he was signed some undertaking relating to clause 20(J). Self stated that he had signed the documents in the year 2014. He denied that he does not fall in the category of working journalist, as per the wage board recommendations.

15. This is the entire evidence which has been led by the petitioner.

16. In order to rebut the case of the petitioner sufficient opportunities were granted to the respondents to led their evidence but the respondents failed to led any evidence as such after granting 20 opportunities to the respondent to led their evidence, this Court *vide* order dated 05.08.2022 closed the evidence of the respondents by the orders of the Court.

16. In order to rebut the case of the petitioner, respondent examined Shri Bharamanand Devrani, Dy. News Editor of respondent as RW-1. He deposed that he is working in the Dainik Bhaskar since July, 2010 and presently he is the Deputy News Editor of the paper in Shimla. He further deposed that he knows the petitioner who was working in the digital media and print media. He deposed that the petitioner used to work as a reporter and he also use do the work of sub-editing. He further deposed that the petitioner used to manage the staff under him and even sanctioned their leave.

17. During cross-examination, he deposed that he does not know when Dainik Bhaskar started operations in Shimla. He denied that when the petitioner was working with the respondent, digital media was not in operational there.

18. The other witness examined by the respondent is Shri Satnam Gill, Photographer of respondent, who appeared into the witness box as RW-2. His statement is also to the effect that the petitioner was working in the digital media.

19. During cross-examination, he deposed that in the year 2006, he was working under one Shri Tyagi (Editor).

20. Shri Bharamanand (RW-1) was again examined as RW-3, who tendered in evidence affidavit Ex. RW-3/A vide which he deposed that he is working with Dainik Bhaskar since 2010 and at present working as Deputy News Editor. He has made the similar statement as was made by him as RW-1.

21. However, during cross-examination, as RW-3, he has deposed that the petitioner is working as reporter since 2001-02 but then self-stated that he is not confirmed of the fact. He deposed that the petitioner worked with the respondent for 7-8 years.

22. Respondent also examined Shri Aditya Dube as RW-4, who led his evidence by way of affidavit Ex. RW-4/A vide which he deposed that he is working with the dainik bhaskar since October 2017 and at present working as Senior Manager, HR and Admin (CPH2). He further deposed that in view of clause 20 (j) of Majithia Wage Board Recommendations, who has signed the option, will get the salary as per the option and all the employees working at Shimla had given their signatures on option letter as per their will. He further deposed that as per the Majithia Wage Board Recommendations, only the business of newspaper establishment i.e circulation and advertisement of newspaper shall be counted and all the units have independent existence and the accounts of each unit are being prepared by that unit. He also deposed that the petitioner ceased to fall within the definition of workman as he was performing the supervisory duties and he was working independently. Petitioner fall within the exception of Section 2 (f) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act 1955 (hereinafter to be referred as the Act) as he was discharging supervisory/managerial duties. He also placed on record copy of declaration dated 15.11.2011 as Ex. RW-4/B.

23. During cross-examination, he deposed that he has not brought the record pertaining to the appointment, salary perks etc. of the petitioner. He admitted that the petitioner had worked as reporter with the respondent management. He is not aware that the recommendations of Majithia Wage Board are applicable to the reporters. He denied that all the dues and remuneration were not paid to the petitioner in this case as per the recommendation of Majithia Wage Board.

24. So far as the claim of the petitioner is concerned though the claim of the petitioner is based on the recommendations of Majithia Wage Board and on notification dated 11.11.2011 but while leading evidence as well as by submitting the statement of claim the petitioner has not made it clear or established on record that in which group of employee he falls nor there is any evidence to establish what kind of work was assigned to him to fix him in any of the group(s) of employee(s) as per the recommendations of Majithia Wage Board. Apart from that the petitioner has also not classified the class of newspaper establishment with which he was working. Though, the respondent has taken the plea that the petitioner does not fall within the definition of workman under the Act and he fall under the exception of Section 2 (f) of the Act. Even, it is presumed that the petitioner did fall under the definition of working journalist then also the petitioner has not made a single averment as to which category the unit in which he was working, did fall and in which category he falls as per the recommendations of the Majithai Wage Board. In the absence of any such pleadings and proof thereof, it is difficult for his Court to fix the petitioner in any of the categories.

25. As per the case of the petitioner, he worked with the respondent *w.e.f.* 01.04.2010 to Feb., 2014. At the time when the petitioner had moved application before the Labour Officer, there was no relationship of employer and employee between the parties.

26. Since, the petitioner has admitted that he left the services of the respondent, much before raising this claim and after the cessation of employment, the petitioner who was not in relationship of master and servant with the respondent cannot agitate that he was entitled to enhanced salary as per recommendations of Majithia Wage Board.

27. The other point which was raised in this reference by the respondent is that the provisions of Section 17(2) of the Act are similar to the provisions of Section 33-C(2) of the Industrial Disputes Act. The powers uner section 33-C(2) of the I.D Act confined on the Labour Court are that of executing Court as such the petitioner could not raise any dispute under Section 17(2) of the Act which was not pre-adjudicated or predetermined. The petitioner has raised the claim for difference in pay as per the recommendations of Majithia Wage Board. The reference has been made to this Court under Section 17(2) of the Act. Section 17 of the Act reads as under:—

"17. Recovery of money due from an employer. –

(1) **Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorized by him in writing in this behalf or in case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him and if the State Government or such authority as the State Government may specify in this behalf, is satisfied that any amount is so die, it shall issue a certificate for that amount to the Collector, and the Collector or shall proceed to recover that amount in the same manner as an arrear of land revenue.**

(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of Industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if question so referred were a matter referred to the Labour Court for the adjudication under that Act or law.

(3) …….

28. The Hon'ble High Court of Judicature of Madras in **WP No. 6343 of 2022 dated 15.04.2022 case titled as S. Madhavan Vs. M/s THG Publishing Pvt. Ltd. (formerly M/s Kasturi & Sons Ltd.) 859 and 860 Anna Salai Chennai-6000002** has dealt with the similar matter. The Hon'ble high Court of Madras has considered the scope of Section 17(2) of the Act and held as under:—

"10. **It is not disputed that the claim of the petitioner for difference in Dearness Allowance for the period 11.11.2011 is based on the Award of the Majithia Wage Board, which was approved by the Government of India on 11.11.2011 and confirmed by the Hon'ble Supreme Court in W.P. (Civil)No. 246 of 2011 on 07.02.2014. The petitioner's raised a dispute claiming difference in Dearness allowance and the same was referred to the Labour Court by the Government of Tamil Nadu in G.O. (ID) 441 dated 21.07.2016 under Section 17 (2) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act 1955. During the pendency of the said reference in the present 205/2011 the petitioner's were retrenched and hence the complaint under Section 33(1) (a) of the I.D. Act was filed. Let me now refer to the provisions of the Working Journalist Act as well as the ID Act which are relevant for the purpose of this case. Section 2(K) of the ID Act reads as follows:—**

"2(k)" industrial dispute" means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person; "

Section 17(2) of the Working Journalist Act which reads as follows:—

"17(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

11. The reading of Section 17(2), particularly the phrase "as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law", in my view cannot convert the question into a dispute as defined and understood under Section 2(K) of the I.D. Act. The words, as if the question so referred were a matter referred to the Labour Court for adjudication under the act or law" would only mean that while answering the question the Labour Court would adjudicate it in the same manner as it would adjudicate a reference under the I.D. Act. To say that the reference of the question to the Labour Court changes the character of the reference into an industrial dispute goes against the letter and spirit of the said provision. The legislature has used the term "refer the question". The legislature has consciously avoided the term 'dispute', because the legislature was aware that the term 'dispute' has its own connotations under the I.D Act. From a reading of the definition of Industrial Dispute under Section 2(k), it is clear that the question that is referred under Section 17(2) cannot be construed as an industrial dispute. An industrial dispute referred to therein is in relation to non employment, the terms of employment or conditions of labour. Whereas the question under Section 17(2) relates to computation

of claim and hence, it would not fall under the definition of industrial dispute under the ID Act.

12. As rightly contended by the learned counsel for the respondent Section 17 of the Working Journalist Act is akin to Section 33(C) (2) of the I.D. Act. It is well settled by catena of Judgments of this Court as well as Hon'ble Supreme Court that the jurisdiction exercised by the Labour Court under Section 33(C)(2) is that of an Executing Court. In the present case, it is seen that the recommendations of the Majithia Wage Board were accepted by the Government of India on 11.11.2011 and the same was challenged before the Hon'ble Supreme Court, which confirmed the recommendations of the Majithia Wage Board, but with modification that the same would be effective from 11.11.2011 only.

13. It is the respondents' case that the respondent had paid the dues to the petitioner and other employees as per the order of the Hon'ble Supreme Court in 2014-2015 itself, but the petitioner claimed higher Dearness Allowance and therefore petitioned the Government under the Working Journalist Act. The Government in terms of Section 17 of the Working Journalist Act referred the claim petition to the Principal Labour Court. The aforesaid facts clearly establish that the question referred to was a claim relating to the computation of difference in the Dearness Allowance paid by the respondent to the petitioner. In my view, the question referred to the Labour Court on the basis of the Majithia Wage Board recommendations relates to computation of Dearness Allowance under Section 17(2) of the Working Journalist Act and hence not an industrial dispute as defined in the Industrial Disputes Act. I am fortified in my view by the Judgment of the Hon'ble Division Bench of the Gujarat High Court in Keshavlal M.Rao Vs. State of Gujarat and Others reported in 1993 (1) LLN 373. The Hon'ble Chief Justice, S. Nainar Sundaram, J. while considering similar issue held as follows:—

"Section 17 to a very great extent by verbalism and by implications stands in pari materia with Section 33 C of the Industrial Disputes Act, 1947. Section 33 C(1) of the Industrial Disputes Act, 1947 is comparable with Section 17(1) of the Act; and Section 33C(2) of the Industrial Disputes Act, 1947 is comparable with Section 17(2) of the Act. The scope of Section 33C of the Industrial Disputes Act, 1947 has come up for consideration by pronouncements not only at the level of the High Courts but also at the level of the Apex Court of the land. They are incisive and they have, without any ambiguity characterized the machinery under Section 33 C(2) of the Industrial Disputes Act, 1947 as one relatable to execution stage and not at the adjudicatory level over the right to relief claimed by applicant and denied by the opponent. They have held that investigation into and determination of any dispute regarding the applicant's right to relief and the corresponding liability of the opponent will be outside the scope of the said provision. The set of expression found in Section 33C(2) of the Industrial Disputes Act, 1947 is "If any question arises as to the amount of money due", from the employer to the workman. As already noted, the set of expressions used in Section

17(2) of the Act is "If any question arises as to the amount due under this Act to a newspaper employee from his employer". Under Section 33C(2) of the Industrial Disputes Act, 1947, the specified Labour Court decides that question. Under Section 17(2) of the Act, the question gets referred to the Labour Court for its decision over it. The similar features between the two provisions are very portent and on the basic factor that the provisions are in pari materia, there is every warrant for applying the ratio of the judicial pronouncements delineating the scope of Section 33C(2) of the Industrial Disputes Act, 1947 to delineate the scope of Section 17(2) of the Act."

29. Since, it has been held by the Hon'ble High Court of Madras that the provisions of Section 17(2) of the Act are akin to the provisions of Section 33-C(2) of the Act and such proceedings under Section 33-C(2) are summery in nature. Thus, the pronouncement delineating the scope of Section 33-C (2) of the Industrial Disputes Act, 1947 would also be helpful for disposal of this case. The Hon'ble Apex Court in case titled as **Municipal Corporation of Delhi Vs. Razak (1995 SCC 1- 235)** has held as under:—

"**Dispute relating to entitlement is not incidental to the benefit claimed and is, therefore, clearly outside the scope of a proceeding under** Section 33- **C(2) of the Act. The Labour Court has no jurisdiction to first decide the workmen's entitlement and then proceed to compute the benefit so adjudicated on that basis in exercise of its power under** Section 33-C(2) **of the Act. It is only when the entitlement has been earlier adjudicated or recognized by tile employer and thereafter for the purpose of implementation or enforcement thereof some ambiguity requires interpretation that the interpretation is treated as incidental to the Labour Court's power under** Section 33- **C(2) like that of the Executing Court's power to interpret the decree for the purpose of its execution**".

30. Similar is the judgment(s) of Hon'ble Supreme Court reported in **2006 (109) FLR 530 case titled as Union of India and another Vs. Kankuben (dead) by LRs. and others** and **Bombay Chemical Industries Vs. Deputy Labour Commissioner and Anr., 2022 Live Law (SC) 130**.

31. In view of the discussion made hereinabove, it is amply clear that the jurisdiction of Labour Court under Section 17(2) of the Act is limited to the computation of amount due and it cannot decide the dispute as to the entitlement of the petitioner to be fixed in a particular group or to determine that for what salary he is entitled to under the recommendations of Majithia Wage Board. In **Navbharat Press Employees union, Mafatlal Employees Union Vs. State of Maharashtra, Labour Industries and Energy Department and Ors., 2009 (III) Bom LR 4347**, the double bench of Hon'ble High Court of Bombay has held that the question as to which class the petitioner falls involves detailed investigation as regard gross revenue of respondent establishment, therefore, the same cannot be termed as mere implementation or execution of the Manisana Award. The relevant para of the aforesaid judgment is as under:—

"15. **The dispute in this case is as regards entitlement of the members of the petitioner union to higher watges on the basis that respondent 5 falls in class II and not in class**

IV of clause 6 of the Manisana Award and, therefore, the basic question which has to be decided is as to in which class respondent 5 falls. That would involve a detailed investigation as regards gross revenue of respondent 5. For that purpose, various documents including the balance sheet of respondent 5 will have to be gone into. Therefore, this is not a mere implementation or execution of the said Manisana Award."

32. The Hon'ble Apex Court in case titled as **Kasturi and Sons Private Ltd., Vs. N. Salivateswaran and another AIR 1958 507**, has held that the enquiry contemplated under Section 17 of the Act is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree and award. The relevant paras of the aforesaid judgment are reproduced as under:—

"8**. It is significant that the State Government or the specific authority mentioned in** s. 17 **has not been clothed with the normal powers of a court or a tribunal to hold a formal enquiry. It is true that** s. 3**, sub-s. (1) of the Act provides for the application of the** Industrial Disputes Act, 1947**, to or in relation to working journalists subject to sub-s. (2); but this provision is in substance intended to make working journalists workmen within the meaning of the main** Industrial Disputes Act**. This section cannot be read as conferring on the State Government or the specified authority mentioned under** s. 17 **power to enforce attendance of witnesses, examine them on oath, issue commission or pass orders in respect of discovery and inspection such as can be passed by the boards, courts or tribunals under the** Industrial Disputes Act**. It is obvious that the relevant provisions of s. 11 of the** Industrial Disputes Act, 1947**, which confer the said powers on the conciliation officers, boards, courts and tribunals cannot be made applicable to the State Government or the specified authority mentioned, under** s. 17 **merely by virtue of** s. 3(1) **of the act.**

9. In this connection, it would be relevant to remember that s. 11 of the act expressly confers the material powers on the Wage Board established tinder s. 8 of the Act. Whatever may be the true nature or character of the Wage Board-whether it is a legislative or an administrative body-the legislature has taken the precaution to enact the enabling provisions of s. 11 in the matter of the said material powers. It is well known that, whenever the legislature wants to confer upon any specified authority powers of a civil court in the matter of holding enquiries, specific provision is made in that behalf. if the legislature had intended that the enquiry authorized under s. 17 should include within its compass the examination of the merits of the employee's claim against his employer and a decision on it, the legislature would undoubtedly have made an appropriate provision conferring on the State Government or the specified authority the relevant powers essential for the purpose of effectively holding such an enquiry. The fact that the legislature has enacted s. 11 in regard to the Wage Board but has not made any corresponding provision in regard to the State Government or the specified authority under s. 17 lends strong corroboration to the view that the enquiry contemplated by s. 17 is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree, award, or other valid order obtained by the employee after establishing his claim in that behalf. We are reluctant to accept the view that the legislature intended that the specified authority or the State Government should hold a larger enquiry into the merits of the employee's claim without conferring on the State

Government or the specified authority the necessary powers in that behalf. In this connection, it would be relevant to Point out that in many cases some complicated questions of fact may arise when working journalists make claims for wages against their employers. It is not unlikely that the status of the working journalist, the nature of the office he holds and the class to which he belongs may themselves be matters of dispute between the parties and the decision of such disputed questions of fact may need thorough examination and a formal enquiry. If that be so it is not likely that the legislature could have intended that such complicated questions of fact should be dealt with in a summary enquiry indicated by s. 17."

33. Though, reliance was placed by Ld. Counsel for the respondent on **AIR 1966-182 as well as on writ case no. 33532 of 2023**, but the facts of this authority are distinguishable from the facts of this case. Keeping in view my aforesaid discussion, both these issues are answered in negative and against the petitioner.

ISSUE NO. 3

34. So far as issue No. 3 is concerned, it is evident that an application was moved by the applicant before the designated authority under the Act for issuance of recovery certificate in compliance of the order(s) dated 28.4.2015, 12.1.2016 and 23.8.2016 passed by the Hon'ble Apex Court in **CCP No. 128 of 2015 and 129 of 2015 and WP (C) No. 246 of 2011 dated 7.2.2014** and claimed for the dues since the issuance of notification by the Central Government on the recommendations of Majithia Wage Board. The applicant had also submitted Form C as per Rule 36 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957. It is evident from the record that the application was primarily made by the petitioner before the designated authority under the Working Journalists (conditions of Service) and Miscellaneous Provisions Act, 1955 for issuance of recovery certificate under section 17(1) of the Act. The petitioner had made a request that the directions issued by the Hon'ble Supreme Court vide order dated 23.8.2016 be complied with and in para no. 2 of the application the applicant had made it clear that that the application has been moved under section 17(1) of the Act and in the last of the para no. 3, it was mentioned by the applicant that since the employee has not preferred the application under Section 17(2), the same cannot be referred for adjudication under the misguided pressure of the management as the same would attract contempt of Court against the Labour Commissioner. Thus, it is amply clear that the application was preferred by the petitioner under section 17(1) of the Act. Coming to the reference in hand, the Labour-*cum*-Conciliation Officer, Shimla zone while exercising the powers vested in him vide notification dated 18.10.2016 has referred the dispute under Section 17(2) to this Court. Now, if the above notification is perused, the same reads as under:—

"**In exercise of powers conferred as sub-section (1) of Section 17 of the Working Journalists and Other Newspaper Employees (Condition of Service) and Miscellaneous Act, 1955 (45 of 1955), the Governor of Himachal Pradesh is pleased to specify the Labour Officer of the Department of Labour and Employment, Himachal Pradesh as authority within their respective jurisdiction for the purpose of Section 17 of the Act ibid, with immediate effect**."

There is nothing on record to remotely suggest that the powers were also conferred upon the Labour-*cum*-Conciliation Officer, Shimla vide any notification issued by the Government to refer the matter to this Court even under Section 17(2) of the Act.

35. Now, the question which has been raised before this Court is as to whether the Labour-cum-Conciliation Officer, Shimla was competent to refer the matter to this Court in view of notification dated 18.10.2016, as referred to supra under Section 17(2) of the Act. In this regard, it would be beneficial to refer to the judgment of Hon'ble High Court of Judicature at Bombay, Nagpur Bench, Nagpur in WP No. 6402 of 2019 dated 17.11.2022 case titled as **All India Reporter Private Limited, a Company incorporated and registered under the Companies Act having its registered office at Medows House, Nagindas Master Road, Fort, Mumbai – 400023 and its industrial establishment at Congress Nagar, Nagpur, through its Managing Director – Shri Sumant Widyadhar Chitaley (Original Party No.1). Vs. The State of Maharashtra, through the Secretary, Department of Industries, Energy and Labour, Mantralaya, Mumbai and anr.** The relevant portion of the judgment is reproduced as under:—

"6**] In the light of the rival submissions, the question that deserves consideration is whether it is open for the State Government to delegate its power of referring a question arising under the Act of 1955 to any authority or whether such power has to be exercised by the State Government itself. To consider the said question, it would be necessary to refer to the provisions of Sections 17(1) and (2) of the Act of 1955, which read thus :**

"17. Recovery of money due from an employer.- (1) Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorised by him in writing in this behalf, or in the case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him, and if the State Government, or such authority, as the State Government may specify in this behalf, is satisfied that any amount is so due, it shall issue a certificate for that amount to the Collector, and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue. (2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

7]. A perusal of Section 17(1) of the Act of 1955 indicates that without prejudice to any other mode of recovery, it would be open for a newspaper employee to seek recovery of amount due to him by making an application to the State Government. On the State Government or such authority that the State Government may satisfy in this behalf being satisfied that any amount is so due, a certificate for such amount can be issued to the Collector who can then proceed to recover that amount in the same manner as an arrear of land revenue. It is clear from the said provision that the State Government has been conferred the power of delegating the task of determining whether any amount is due as claimed by a newspaper employee. The State Government can either

itself or through such authority as specified issue a certificate as provided. In contrast, when the provisions of Section 17(2) of the Act of 1955 are analyzed, it becomes clear that no such power of delegation has been conferred on the State Government. Thus, if any question arises as to the amount due under the Act of 1955, it is for the State Government either on its own motion or on upon an application made to it to refer the question to any Labour Court as permitted. In other words, the State Government has not been conferred any power to delegate the task of referring such question to any Labour Court. There is thus a clear distinction contained in the provisions of Sections 17(1) and 17(2) of the Act of 1955 inasmuch as the power of delegation conferred on the State Government under Section 17(1) is missing in Section 17(2) of the Act of 1955. In this regard, the learned Counsel for the petitioner is justified in relying upon the decision in M. Chandru (supra) wherein the Hon'ble Supreme Court has observed in clear terms that delegation of power is permissible if there exists such provision in the Principal Act. The power to delegate being a statutory requirement must find place in the Principal Act itself. It is thus clear that in the absence of any such power of delegation being conferred upon the State Government under Section 17(2) of the Act of 1955 to refer any question as to whether any amount is due under the Act of 1955 to a newspaper employee, such reference has to be made by the State Government itself.

8……..

9]. It was also submitted by the learned Counsel for the petitioner that since the members of the Union sought determination of their entitlement to higher wages, remedy under Section 17 of the Act of 1955 was not available. What was required to be resolved was an industrial dispute and therefore the members of the Union ought to have invoke appropriate jurisdiction in that regard. Reliance was placed on the decision in Sanjay Shalikram Ingle (supra). However, since it has been found that the Additional Commissioner of Labour was not empowered to make the reference under Section 17(2) of the Act of 1955 to the Labour Court, it would not be necessary at this stage to consider the said aspect of the matter. If a reference is made by the State Government under Section 17(2) of the Act of 1955, the said aspect can be considered at that stage".

36. This judgment was followed by the Hon'ble High Court of Bombay, Aurangabad Bench in case titled as **Head of Human Resources, Dainik Bhaskar Group Vs. Dinesh Devidas Pardeshi 2023 (177) FLR 218**.

37. Thus, it is amply clear from the above judgments that powers under Section 17(2) of the Act cannot be delegated to the Labour-*cum*-Conciliation Officer, Shimla to make a reference under Section 17(2) of the Act nor any such notification has been produced or brought to the notice of this Court that the Labour-cum-Conciliation Officer, Shimla was authorized to make a reference to this Court even under Section 17(2) of the Act.

38. In view of the discussion made hereinabove, and in view of the ratio of judgment of Hon'ble High Court of Bombay at Nagpur bench, followed by the Hon'ble High Court of Bombay

at Aurangabad Bench (supra), that the Government cannot delegate its powers under Section 17(2) of the Act to any Labour Officer to file a reference in this regard before this Court. The reference, thus, which has been made to this Court is without any jurisdiction and the same is not maintainable. Hence, issue no. 3 is decided against the petitioner**.**

RELIEF

39. In view of my findings on issues no. 1 to 3, above, the claim filed by the petitioner fails and hereby dismissed. The reference is answered in the aforesaid terms. Let a copy of this award be communicated to the Appropriate Government as well as to the Labour Officer, Shimla zone for further action. The file after due completion be tagged with the main case file.

Announced in the open Court today on this rd Day of October, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**.

Reference No. : 76 of 2017

Instituted on : 01-06-2017

Decided on : 30-03-2025

Mohan Chauhan, s/o Sh. P.D. Chauhan, House No. 134, Housing Board Colony, Phase-1, P.O. Saproon, Distt. Solan, H.P. ..*Petitioner.*

VERSUS

1. The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002.

2. M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh. ..*Respondents.*

Reference under Section 17(2) of the Working Journalists and other Newspaper Employees (Conditions of Services and Miscellaneous Provisions) Act, 1955

For the petitioner : Sh. R.R. Thakur, Advocate

For the respondents : Sh. Surinder Saklani, Advocate

AWARD

The Labour-*cum*-Conciliation Officer, Solan Zone Solan has made the following reference to this Court after failure of the conciliation proceedings:—

> "**Whether the action of the employers The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002 and M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh for not paying claim of arrears amounting to Rs. 14,99,589/- (Rs. Fourteen Lac Ninety Nine Thousand Five Hundred Eighty Nine only) Sh. Mohan Chauhan, S/o Sh. P.D. Chauhan, House No. 134, Housing Board Colony, Phase-1, P.O. Saproon, Distt. Solan, H.P. as difference of wages actually drawn and due as per recommendation of Majithia Waged Boards (Copy of claim enclosed) constituted under Section 9 & 13(C) of the Working Journalists and Other Newspaper Employees (Conditions of Services and Miscellaneous Provisions Act, 1955) is legal and justified? If yes, to what amount of relied/ arrear, along-with interest etc., the aggrieved employee is entitled to from the above employer/ management?"**

2. The case as emerges from the statement of claim is that petitioner is qualified person having the qualification of post graduate diploma in journalism and mass communication joined as reporter in the establishment of the respondents on 01.09.2007 on monthly salary of Rs. 4,100/- per month which was revised by the respondents later on. The respondents in group of company named as Dainik Bhaskar Corporation Limited having its register office at Ahemdabad, Gujrat and regional offices throughout India. The respondents employed the required staff for running the business of printing, publishing newspapers under the name and style Dainik Bhaskar. The respondents is also having its office at Solan where the staff of six persons are working on different post and designation and the staff/ workers who were recruited are covered by the Act applicable to the establishment of respondents. The persons who are working in the different newspapers were raising their demands for the enhancement of their wages and have submitted several representations to the Government of India for the increase of their wages under the Act. The Government of India constituted the Majithia Wage Board under the Act who gave its recommendations to fix the wages of the persons working in the different newspaper's establishment in India. The Government of India after considering and examining the recommendations, made it applicable to all the newspaper establishment vide notification dated 11.11.2011. The respondents are bound to pay the wages/ salary to their employees according to the recommendations of Majithia Wage Board. The management of respondents along with several other newspapers groups challenged the validity of the Majithia Wage Board recommendation before the Hon'ble Supreme Court of India which was finally dismissed and specific direction was issued to release the benefits of Majithia Wage Board recommendation vide order dated 07.02.2014 within a period of one year along with arrears. The petitioner is working as reporter in the establishment of respondent at Solan since 01.09.2007 as such he is entitled for the benefits of Majithia Wage Board recommendation under category Group-V. The petitioner served notice to the respondents through Labour Officer, Solan under the Industrial Disputes Act read with Working Journalist Act for implementation of recommendation after submitting the calculation of the arrears which is to be paid by the respondents to the petitioner, but the respondents did not appear before

the Labour Officer, Solan as such the Labour Officer issued the certificate of recovery against the respondents for the recovery of Rs. 14,99,589/-. The respondents then approached the Labour Commissioner Shimla, who recall the recovery certificate and directed the Labour Officer to give an opportunity of being heard to the respondents. The respondent filed reply before the Labour Officer Solan wherein two questions, one of declaration under Clause 20 J of Majithia Wage Board recommendations and another was that the Shimla Unit of the respondent is a loss-making unit were raised. Petitioner averred that the declaration was taken from the petitioner by the respondent under duress and under the threat of transfer and it was not a voluntarily declaration of the petitioner. It was disputed that Shimla unit is a loss-making unit. It is further averred that after consideration of reply, the Labour Officer Solan due to non-co-operation of the respondent the conciliation failed and the matter was referred to this Court for final adjudication. The petitioner is covered under category Group-V as mentioned in the recommendation of Majithia Wage Board whereas respondent falls under Class-I as per their own declaration made about 2200 Crore per annum as such the petitioner was entitled for the monthly salary of Rs. 19,360/- but the respondent was paying only Rs. 5,107/- per month. The petitioner is entitled for Rs. 20,76,699/- from Nov. 2011 to June 2017. The respondent falls under Class-I as per their own declaration. The respondent illegally changed the designation of the petitioner from reporter to business associate which was done by the respondents at their own without the association of the petitioner. The petitioner is still doing the job of reporter. The petitioner has lodged his legitimate claim through demand notice and has made his claim as directed by the Hon'ble Supreme Court of India. It is prayed through this claim petition that the respondents be directed to pay Rs. 20,76,699/- along with interest @12% per annum to the petitioner from 11.11.2011 to June 2017 as per direction given by the Hon'ble Supreme Court of India and, the respondents be also directed to pay salary and arrears after June 2017 to the petitioner as per the recommendation of Majithia Wage Board.

3. Notice of this claim was sent to the respondent in pursuance thereof the respondent contested the claim by filing reply wherein it is submitted that the Solan office is a sub-office of the respondent which is governed and managed by Shimla Office and Shimla office does separate business and manage separate balance sheet etc., where some employees are working with digital division/ wing and also employed by digital division. As per the directions issued by the Hon'ble Apex Court, only the eligible working and non-working journalists falls under the preview and definition as enshrined under the Act and are entitled for the payment in terms of the Majithia Wage Board recommendation. All working/ non-working journalists are not eligible or entitled for the salary in terms of Majithia Wage Board recommendation. The petitioner is not legally entitled for the wages as per the recommendation of Majithia Wage Board as petitioner has submitted his declaration under clause 20(J) before the respondent whereby he has willfully and with free consent has opted to retain his current salary and emoluments. The respondents have not acted in any manner which is in contravention of the direction of Hon'ble Apex Court. The petitioner knowingly about his in-eligibility for getting the benefits as per recommendation has started to take undue advantages from the respondents. It is denied that the petitioner is entitled for any arrears of amount from November 2011 to June 2017. The petitioner does not fall under the preview of the definition of either working journalist or non-working journalist. The respondent prayed for dismissal of the claim petition.

4. Petitioner filed rejoinder in which he denied preliminary objections raised by the respondent and also denied the averments as made in the reply and reaffirmed those as made in the statement of claim.

5. On the pleadings, this Court formulated the following issues on 31.07.2018.

1. Whether the action of the employer/ respondent for not paying claim of arrears amounting to Rs. 14,99,589/- (Rs. Fourteen Lac Ninety Nine Thousand Five Hundred and Eighty Nine only) to the petitioner as differences of wages actually drawn and due as per recommendation of Majithia Wage Board constituted under Section 9 & 13 (C) of the Working Journalists and other Newspaper Employees (Conditions of service and Miscellaneous Provisions Act, 1955) is illegal and unjustified, as alleged? ..*OPP*.

2. If issue no. 1 is proved in affirmative, to what amount of relief/ arrear, along-with interest etc., the petitioner is entitled? ..*OPP*.

3. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed. Petitioner appeared in the witness box as PW-1, whereas respondents examined Sh. Pawan Thakur as RW-1.

7. Besides having heard the Ld. Counsel for the parties and going through the written submissions filed on behalf of both the parties, I have also gone through the records of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:—

Issue No. 1	: No
Issue No. 2	: Not entitled to any relief.
Relief	: Reference is answered in Negative as per operative part of the Award.

REASONS FOR FINDINGS

ISSUES NO.1 & 2

9. Both these issues are intermingled and inter-connected and require common appreciation of the evidence, as such both these issues are taken up together for the purpose of determination.

10. Onus to prove issues no. 1 & 2 is on the petitioner.

11. The claim of the petitioner is based upon the fact that Central Government constituted Majithia Wage Board for revision of wages of newspaper establishments and the Majithia Wage Board recommended revision in wages on 01.07.2010. The said recommendations were accepted by the Central Government vide notification dated 11.11.2011. The recommendations of the Majithia Wage Board were notified by the Government, which were challenged by the various newspaper agencies before the Hon’ble Apex Court, however, the Hon’ble Apex Court has upheld the recommendations of the Majithia Board.

12. Before proceeding further, it would be appropriate to first discuss the evidence which is on record.

13. To prove his case, the petitioner stepped into the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. He also placed on record the appreciation letter dated 25.04.2011 mark PX-1 and appreciation letter dated 29.07.2013 mark-PX-2.

14. During cross-examination, he stated that he is working with the Dainik Bhaskar since 1st September, 2007 and getting salary of Rs. 4,000/-. He stated that he has no knowledge that Shimla office is a loss making unit. He does not know about the Majithia Wage Board recommendations. He admitted that he had signed some undertaking relating to clause 20(J). Self stated that he had signed the documents in 2014. He denied that he does not fall in the category of working journalist, as per the wage board recommendations.

15. This is the entire evidence which has been led by the petitioner.

16. In order to rebut the case of the petitioner, respondents examined Shri Pawan Thakur as RW-1 and led his evidence by way of affidavit Ex. RW-1/A, wherein he has deposed that he is working in Dainik Bhaskar since, 2003 and at present working as Bureau Chief. He further deposed that petitioner was working under him, whereas some employees were working under the petitioner. Petitioner used to intersect for daily routine work vis-à-vis used to forward/ recommend leave application/ appraisal letter of subordinate staff. He also deposed that he had given option under Section 20J to the management like other employees.

17. During cross-examination, he stated that he was working with the respondents as bureau chief at Solan. He stated that the office was maintaining attendance register. Self stated that presently there is no register. He showed ignorance that the photocopies of the attendance register are the true version. He admitted that the name of Yashpal is mentioned in the list as sub editor and the name of Rai Singh in mentioned in the list as photographer. He stated that he did not discontinue the marking of presence of the employees in the attendance register. Self stated that it was discontinued 5-6 years ago. He admitted that petitioner and Yashpal were working under him. He admitted that letter dated 25.04.2011 mark-RX-2 was issued by the respondent to Yash Pal Kapoor. He admitted that Yashpal Kapoor, Mohan Chauhan and Jai Chand Sharma were transferred during the pendency of the reference. He denied that he did not allow the petitioner to do work, by disobeying the order of this Court. He showed ignorance that petitioner Mohan Chauhan, Yashpal and Jai Chand had supplied the orders of this Court to him and to his superiors. He denied that the salary of the petitioner has been stopped by him since June, 2019. He admitted that he has not placed any authority letter on record.

18. This is the entire evidence which has been led by the respondents.

19. So far as the claim of the petitioner is concerned though the claim of the petitioner is based on the recommendations of Majithia Wage Board and on notification dated 11.11.2011. As per the case of the petitioner, he was offered the job of reporter by the respondent and he joined as

such on 01.09.2007. Whereas the stand taken by the respondent is that all working/ non-working journalists are not eligible or entitled for the salary in terms of Majithia Wage Board recommendation and even the petitioner knowingly about his in-eligibility for getting the benefits as per recommendations has started to take undue advantages from the respondent as the petitioner has submitted his declaration under clause 20(J) before the respondent whereby he has willfully and with free consent has opted to retain his current salary and emoluments. The case of the petitioner is that when he demanded the salary/wages as per the recommendation of Majithia Wage Board, the respondent refused to pay any heed to his request and thereafter the petitioner raised the demand notice.

20. The point which was raised in this reference by the respondent is that the provisions of Section 17(2) of the Act are similar to the provisions of Section 33-C(2) of the Industrial Disputes Act. The powers under section 33-C(2) of the I.D Act confined on the Labour Court are that of executing Court as such the petitioner could not raise any dispute under Section 17(2) of the Act which was not pre-adjudicated or predetermined. The petitioner has raised the claim for difference in pay as per the recommendations of Majithia Wage Board. The reference has been made to this Court under Section 17(2) of the Act. Section 17of the Act reads as under:—

"17. Recovery of money due from an employer. –

(1) **Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorized by him in writing in this behalf or in case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him and if the State Government or such authority as the State Government may specify in this behalf, is satisfied that any amount is so die, it shall issue a certificate for that amount to the Collector, and the Collector or shall proceed to recover that amount in the same manner as an arrear of land revenue.**

(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of Industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if question so referred were a matter referred to the Labour Court for the adjudication under that Act or law.

(3) …….

21. The Hon'ble High Court of Judicature of Madras in **WP No. 6343 of 2022 dated 15.04.2022 case titled as S. Madhavan Vs. M/s THG Publishing Pvt. Ltd. (formerly M/s Kasturi & Sons Ltd.) 859 and 860 Anna Salai Chennai-6000002** has dealt with the similar matter. The Hon'ble high Court of Madras has considered the scope of Section 17(2) of the Act and held as under:—

"10. **It is not disputed that the claim of the petitioner for difference in Dearness Allowance for the period 11.11.2011 is based on the Award of the Majithia Wage Board, which was approved by the Government of India on 11.11.2011 and confirmed by the Hon'ble Supreme Court in W.P. (Civil)No. 246 of 2011 on 07.02.2014. The petitioner's raised a dispute claiming difference in Dearness allowance and the same was referred to the Labour Court by the Government of Tamil Nadu in G.O.(ID) 441 dated 21.07.2016 under Section 17(2) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act, 1955. During the pendency of the said reference in the present 205/2011 the petitioner's were retrenched and hence the complaint under Section 33(1) (a) of the I.D. Act was filed. Let me now refer to the provisions of the Working Journalist Act as well as the ID Act which are relevant for the purpose of this case. Section 2(K) of the ID Act reads as follows:**

"2(k)"industrial dispute" means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person; "
Section 17(2) of the Working Journalist Act which reads as follows:—

"17(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

11. The reading of Section 17(2), particularly the phrase "as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law", in my view cannot convert the question into a dispute as defined and understood under Section 2(K) of the I.D. Act. The words, as if the question so referred were a matter referred to the Labour Court for adjudication under the act or law" would only mean that while answering the question the Labour Court would adjudicate it in the same manner as it would adjudicate a reference under the I.D. Act. To say that the reference of the question to the Labour Court changes the character of the reference into an industrial dispute goes against the letter and spirit of the said provision. The legislature has used the term "refer the question". The legislature has consciously avoided the term 'dispute', because the legislature was aware that the term 'dispute' has its own connotations under the I.D Act. From a reading of the definition of Industrial Dispute under Section 2 (k), it is clear that the question that is referred under Section 17(2) cannot be construed as an industrial dispute. An industrial dispute referred to therein is in relation to non employment, the terms of employment or conditions of labour. Whereas the question under Section 17(2) relates to computation of claim and hence, it would not fall under the definition of industrial dispute under the ID Act.

12. As rightly contended by the learned counsel for the respondent Section 17 of the Working Journalist Act is akin to Section 33 (C)(2) of the I.D. Act. It is well settled by catena of Judgments of this Court as well as Hon'ble Supreme Court that the jurisdiction exercised by the Labour Court under Section 33 (C) (2) is that of an Executing Court. In the present case, it is seen that the recommendations of the Majithia Wage Board were accepted by the Government of India on 11.11.2011 and the same was challenged before the Hon'ble Supreme Court, which confirmed the recommendations of the Majithia Wage Board, but with modification that the same would be effective from 11.11.2011 only.

13. It is the respondents' case that the respondent had paid the dues to the petitioner and other employees as per the order of the Hon'ble Supreme Court in 2014-2015 itself, but the petitioner claimed higher Dearness Allowance and therefore petitioned the Government under the Working Journalist Act. The Government in terms of Section 17 of the Working Journalist Act referred the claim petition to the Principal Labour Court. The aforesaid facts clearly establish that the question referred to was a claim relating to the computation of difference in the Dearness Allowance paid by the respondent to the petitioner. In my view, the question referred to the Labour Court on the basis of the Majithia Wage Board recommendations relates to computation of Dearness Allowance under Section 17(2) of the Working Journalist Act and hence not an industrial dispute as defined in the Industrial Disputes Act. I am fortified in my view by the Judgment of the Hon'ble Division Bench of the Gujarat High Court in Keshavlal M. Rao Vs. State of Gujarat and Others reported in 1993 (1) LLN 373. The Hon'ble Chief Justice, S.Nainar Sundaram, J. While considering similar issue held as follows:

"Section 17 to a very great extent by verbalism and by implications stands in pari materia with Section 33C of the Industrial Disputes Act, 1947. Section 33C(1) of the Industrial Disputes Act, 1947 is comparable with Section 17(1) of the Act, and Section 33C(2) of the Industrial Disputes Act, 1947 is comparable with Section 17(2) of the Act. The scope of Section 33C of the Industrial Disputes Act, 1947 has come up for consideration by pronouncements not only at the level of the High Courts but also at the level of the Apex Court of the land. They are incisive and they have, without any ambiguity characterized the machinery under Section 33C(2) of the Industrial Disputes Act, 1947 as one relatable to execution stage and not at the adjudicatory level over the right to relief claimed by applicant and denied by the opponent. They have held that investigation into and determination of any dispute regarding the applicant's right to relief and the corresponding liability of the opponent will be outside the scope of the said provision. The set of expression found in Section 33C(2) of the Industrial Disputes Act, 1947 is "If any question arises as to the amount of money due", from the employer to the workman. As already noted, the set of expressions used in Section 17(2) of the Act is "If any question arises as to the amount due under this Act to a newspaper employee from his employer". Under Section 33C(2) of the Industrial Disputes Act, 1947, the specified Labour Court decides that question. Under Section 17(2) of the Act, the question gets referred to the Labour Court for its decision over it.

The similar features between the two provisions are very portent and on the basic factor that the provisions are in pari materia, there is every warrant for applying the ratio of the judicial pronouncements delineating the scope of Section 33C(2) of the Industrial Disputes Act, 1947 to delineate the scope of Section 17(2) of the Act."

22. Since, it has been held by the Hon'ble High Court of Madras that the provisions of Section 17(2) of the Act are akin to the provisions of Section 33C(2) of the Act and such proceedings under Section 33C(2) are summery in nature. Thus, the pronouncement delineating the scope of Section 33-C(2) of the Industrial Disputes Act, 1947 would also be helpful for disposal of this case. The Hon'ble Apex Court in case titled as **Municipal Corporation of Delhi Vs. Razak (1995 SCC 1- 235)** has held as under:—

"**Dispute relating to entitlement is not incidental to the benefit claimed and is, therefore, clearly outside the scope of a proceeding under** Section 33- **C(2) of the Act. The Labour Court has no jurisdiction to first decide the workmen's entitlement and then proceed to compute the benefit so adjudicated on that basis in exercise of its power under** Section 33-C(2) **of the Act. It is only when the entitlement has been earlier adjudicated or recognized by tile employer and thereafter for the purpose of implementation or enforcement thereof some ambiguity requires interpretation that the interpretation is treated as incidental to the Labour Court's power under** Section 33- **C(2) like that of the Executing Court's power to interpret the decree for the purpose of its execution**".

23. Similar is the judgment(s) of Hon'ble Supreme Court reported in **2006 (109) FLR 530 case titled as Union of India and another Vs. Kankuben (dead) by LRs. and others** and **Bombay Chemical Industries Vs. Deputy Labour Commissioner and Anr., 2022 Live Law (SC) 130**.

24. In view of the discussion made hereinabove, it is amply clear that the jurisdiction of Labour Court under Section 17(2) of the Act is limited to the computation of amount due and it cannot decide the dispute as to the entitlement of the petitioner to be fixed in a particular group or to determine that for what salary he is entitled to under the recommendations of Majithia Wage Board. In **Navbharat Press Employees union, Mafatlal Employees Union Vs. State of Maharashtra, Labour Industries and Energy Department and Ors., 2009 (III) Bom LR 4347**, the double bench of Hon'ble High Court of Bombay has held that the question as to which class the petitioner falls involves detailed investigation as regard gross revenue of respondent establishment, therefore, the same cannot be termed as mere implementation or execution of the Manisana Award. The relevant para of the aforesaid judgment is as under:—

"15. **The dispute in this case is as regards entitlement of the members of the petitioner union to higher watges on the basis that respondent 5 falls in class II and not in class IV of clause 6 of the Manisana Award and, therefore, the basic question which has to be decided is as to in which class respondent 5 falls. That would involve a detailed investigation as regards gross revenue of respondent 5. For that purpose, various documents including the balance sheet of respondent 5 will have to be gone into. Therefore, this is not a mere implementation or execution of the said Manisana Award**."

25. The Hon'ble Apex Court in case titled as **Kasturi and Sons Private Ltd., Vs. N. Salivateswaran and another AIR 1958 507**, has held that the enquiry contemplated under Section 17 of the Act is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree and award. The relevant paras of the aforesaid judgment are reproduced as under:—

"8**. It is significant that the State Government or the specific authority mentioned in** s. 17 **has not been clothed with the normal powers of a court or a tribunal to hold a formal enquiry. It is true that** s. 3**, sub-s. (1) of the Act provides for the application of the** Industrial Disputes Act, 1947**, to or in relation to working journalists subject to sub-s. (2); but this provision is in substance intended to make working journalists workmen within the meaning of the main** Industrial Disputes Act**. This section cannot be read as conferring on the State Government or the specified authority mentioned under** s. 17 **power to enforce attendance of witnesses, examine them on oath, issue commission or pass orders in respect of discovery and inspection such as can be passed by the boards, courts or tribunals under the** Industrial Disputes Act**. It is obvious that the relevant provisions of s. 11 of the** Industrial Disputes Act, 1947**, which confer the said powers on the conciliation officers, boards, courts and tribunals cannot be made applicable to the State Government or the specified authority mentioned, under** s. 17 **merely by virtue of** s. 3(1) **of the act.**

9. In this connection, it would be relevant to remember that s. 11 **of the act expressly confers the material powers on the Wage Board established tinder** s. 8 **of the Act. Whatever may be the true nature or character of the Wage Board-whether it is a legislative or an administrative body-the legislature has taken the precaution to enact the enabling provisions of** s. 11 **in the matter of the said material powers. It is well known that, whenever the legislature wants to confer upon any specified authority powers of a civil court in the matter of holding enquiries, specific provision is made in that behalf. if the legislature had intended that the enquiry authorized under** s. 17 **should include within its compass the examination of the merits of the employee's claim against his employer and a decision on it, the legislature would undoubtedly have made an appropriate provision conferring on the State Government or the specified authority the relevant powers essential for the purpose of effectively holding such an enquiry. The fact that the legislature has enacted** s. 11 **in regard to the Wage Board but has not made any corresponding provision in regard to the State Government or the specified authority under s. 17 lends strong corroboration to the view that the enquiry contemplated by** s. 17 **is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree, award, or other valid order obtained by the employee after establishing his claim in that behalf. We are reluctant to accept the view that the legislature intended that the specified authority or the State Government should hold a larger enquiry into the merits of the employee's claim without conferring on the State Government or the specified authority the necessary powers in that behalf. In this connection, it would be relevant to Point out that in many cases some complicated questions of fact may arise when working journalists make claims for wages against their employers. It is not unlikely that the status of the working journalist, the nature of the office he holds and the class to which he belongs may themselves be matters of dispute between the parties and the decision of such disputed questions of fact may need thorough examination and a**

formal enquiry. If that be so it is not likely that the legislature could have intended that such complicated questions of fact should be dealt with in a summary enquiry indicated by s. 17**."**

26. Coming to the case in hand, the petitioner has claimed that he falls under group-V as per recommendations of Majithia Wage Board, but no document or evidence has been led in this regard to establish that the respondent has a turnover of Rs. 2200 crores and falls under category-I as per recommendations of Majithia Wage Board.

27. The present claim has been preferred by the petitioner on the issue of non-payment of wages. Coming to the reference in hand, the Labour-cum-Conciliation Officer, Solan zone while exercising the powers vested in him vide notification dated 18.10.2016 has referred the dispute under Section 17(2) to this Court. Now, if the above notification is perused, the same reads as under:—

"**In exercise of powers conferred as sub-section (1) of Section 17 of the Working Journalists and Other Newspaper Employees (Condition of Service) and Miscellaneous Act, 1955 (45 of 1955), the Governor of Himachal Pradesh is pleased to specify the Labour Officer of the Department of Labour and Employment, Himachal Pradesh as authority within their respective jurisdiction for the purpose of Section 17 of the Act ibid, with immediate effect**."

There is nothing on record to remotely suggest that the powers were also conferred upon the Labour-*cum*-Conciliation Officer, Solan vide any notification issued by the Government to refer the matter to this Court even under Section 17(2) of the Act.

28. Now, the question which has been raised before this Court is as to whether the Labour-*cum*-Conciliation Officer, Solan was competent to refer the matter to this Court in view of notification dated 18.10.2016, as referred to supra under Section 17(2) of the Act. In this regard, it would be beneficial to refer to the judgment of Hon'ble High Court of Judicature at Bombay, Nagpur Bench, Nagpur in WP No. 6402 of 2019 dated 17.11.2022 case titled as **All India Reporter Private Limited, a Company incorporated and registered under the Companies Act having its registered office at Medows House, Nagindas Master Road, Fort, Mumbai – 400023 and its industrial establishment at Congress Nagar, Nagpur, through its Managing Director – Shri Sumant Widyadhar Chitaley (Original Party No.1). Vs. The State of Maharashtra, through the Secretary, Department of Industries, Energy and Labour, Mantralaya, Mumbai and anr.** The relevant portion of the judgment is reproduced as under:—

"6**] In the light of the rival submissions, the question that deserves consideration is whether it is open for the State Government to delegate its power of referring a question arising under the Act of 1955 to any authority or whether such power has to be exercised by the State Government itself. To consider the said question, it would be necessary to refer to the provisions of Sections 17(1) and (2) of the Act of 1955, which read thus :**

"17. Recovery of money due from an employer.- (1) Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorised by him in writing in this behalf, or in the case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him, and if the State Government, or such authority, as the State Government may specify in this behalf, is satisfied that any amount is so due, it shall issue a certificate for that amount to the Collector, and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue. (2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

7]. A perusal of Section 17(1) of the Act of 1955 indicates that without prejudice to any other mode of recovery, it would be open for a newspaper employee to seek recovery of amount due to him by making an application to the State Government. On the State Government or such authority that the State Government may satisfy in this behalf being satisfied that any amount is so due, a certificate for such amount can be issued to the Collector who can then proceed to recover that amount in the same manner as an arrear of land revenue. It is clear from the said provision that the State Government has been conferred the power of delegating the task of determining whether any amount is due as claimed by a newspaper employee. The State Government can either itself or through such authority as specified issue a certificate as provided. In contrast, when the provisions of Section 17(2) of the Act of 1955 are analyzed, it becomes clear that no such power of delegation has been conferred on the State Government. Thus, if any question arises as to the amount due under the Act of 1955, it is for the State Government either on its own motion or on upon an application made to it to refer the question to any Labour Court as permitted. In other words, the State Government has not been conferred any power to delegate the task of referring such question to any Labour Court. There is thus a clear distinction contained in the provisions of Sections 17(1) and 17(2) of the Act of 1955 inasmuch as the power of delegation conferred on the State Government under Section 17(1) is missing in Section 17(2) of the Act of 1955. In this regard, the learned Counsel for the petitioner is justified in relying upon the decision in M. Chandru (supra) wherein the Hon'ble Supreme Court has observed in clear terms that delegation of power is permissible if there exists such provision in the Principal Act. The power to delegate being a statutory requirement must find place in the Principal Act itself. It is thus clear that in the absence of any such power of delegation being conferred upon the State Government under Section 17(2) of the Act of 1955 to refer any question as to whether any amount is due under the Act of 1955 to a newspaper employee, such reference has to be made by the State Government itself.

8……..

9]. It was also submitted by the learned Counsel for the petitioner that since the members of the Union sought determination of their entitlement to higher wages, remedy under Section 17 of the Act of 1955 was not available. What was required to be resolved was an industrial dispute and therefore the members of the Union ought to have invoke appropriate jurisdiction in that regard. Reliance was placed on the decision in Sanjay Shalikram Ingle (supra). However, since it has been found that the Additional Commissioner of Labour was not empowered to make the reference under Section 17(2) of the Act of 1955 to the Labour Court, it would not be necessary at this stage to consider the said aspect of the matter. If a reference is made by the State Government under Section 17(2) of the Act of 1955, the said aspect can be considered at that stage".

29. This judgment was followed by the Hon'ble High Court of Bombay, Aurangabad Bench in case titled as **Head of Human Resources, Dainik Bhaskar Group Vs. Dinesh Devidas Pardeshi 2023 (177) FLR 218**.

30. Ld. Counsel for the petitioner has submitted through written submission that in earlier cases decided by this Court, the view has been taken that the reference has not been made by the Government and the reference made by Labour Officer is not maintainable. This Court in earlier cases has further held that there is no power with the Government to delegate its power to Labour Officer. It was submitted that in notification dated 18.10.2016 issued by the Government, there was no roll of the petitioner for making reference to this Court and the same has been done by the official of the Government specially specified in notification dated 18.10.2016. The dispute which was referred by the Government through Labour Officer, was checked by this Court and the office report was made on the file. No objection qua the maintainability on the basis of delegation of power under Section 17(2) was raised either in office report or by respondent in its reply but later on this point was raised by the respondent in arguments. Since, there is no roll of the petitioner in making the reference to this Court, the petitioner should not suffer for the mistake/wrong or lapses committed by the Government or Labour Officer and in this regard, he has placed reliance on **AIR 1975 SC 915 case titled Ram Chandra Keshav Adke Vs. Govind Joti Chavare and (2011) 3 SCC 436 case titled as State of Orissa Vs. Mamta Mohanty** (judgments were not supplied by the Ld. Counsel for petitioner, however, the same were traced from the internet), but both these judgments are entirely on the different facts and have no connection to the case in hand, thus, observation made by the Hon'ble Supreme Court cannot be separated from the entire facts of the case and applied to the case in hand.

31. Ld. Counsel for the petitioner placed reliance on judgment case titled as **All India Reporter Karamchari Sangh and others Vs. All India Reporter Ltd. and others AIR 1988 Supreme Court 1325**. However, this judgment is based on some different facts. In this case the Hon'ble Supreme Court has held that "the Law Reports published by the 1st respondent are newspapers and the employees employed by the 1st respondent in their production or publication should be extended the benefit of the orders passed by the Central Government on the basis of the

recommendations made by the Palekar Award." But the facts of this case are entirely different. It is not the case of the petitioner that the petitioner was a law reporter or was working in the production of the law reports. Since, the petitioner has claimed to be a reporter in the respondent newspaper the ratio of this judgment/authority cannot be applied to the case in hand. The reliance was also placed by the petitioner on the decision of Division Bench of Hon'ble High Court of Madhya Pradesh at Jabalpur case titled as **Rajasthan Patrika Pvt. Ltd. Vs. State of Madhya Pradesh and others RP-1076 and 1077-2019.** So far as this judgment is concerned, the Hon'ble High has held that even if the application has not been made in form C under Rule 36 of the Act and if such details are otherwise available although in a different manner, merely because such application was not filed in the prescribed form, the application cannot be thrown to winds. This Court has no reason to disagree with the decision of the Hon'ble High Court (supra) that the Act is a beneficent piece of legislation which is to be construed liberally and it cannot be interpreted in a hyper technical manner which may result into strangulating the litigant, but coming to the case in hand though application moved by the petitioner is not on record of the reference as such it cannot be made out, whether the same was made in Form C as provided under Section 36 of the Act, but lenient interpretation of the Act would not itself empower the Labour-cum-conciliation Officer to make a reference under Section 17(2) of the Act when no such powers were vested in him.

32. Ld. counsel for the petitioner has also placed reliance on judgment passed by the Hon'ble Supreme Court in **Contempt petition (Civil) No. 411 of 2014 in Writ Petition (Civil) No. 246 of 2011 case titled as Avishek Raja & Ors Vs. Sanjay Gupta**. In this case a contempt petition was filed for not implementing the recommendations of Majithia Wage Board, wherein the Hon'ble Supreme Court has held as under:—

> **"27.Having clarified all doubts and ambiguities in the matter and upon holding that none of the newspaper establishments should, in the facts of the cases before us, be held guilty of commission of contempt, we direct that henceforth all complaints with regard to non-implementation of the Majithia Wage Board Award or otherwise be dealt with in terms of the mechanism provided under Section 17 of the Act. It would be more appropriate to resolve such complaints and grievances by resort to the enforcement and remedial machinery provided under the Act rather than by any future approaches to the Courts in exercise of the contempt jurisdiction of the Courts or otherwise.**
>
> Though this judgment is on different facts, but even in this judgment the Hon'ble Supreme Court has directed that all the complaints with regard to non-implementation of recommendations of Majithia Wage Board be dealt in terms of the mechanism as provided under Section 17 of the Act**,**

33. It was also argued by the Ld. Counsel for petitioner that the respondent has not appeared in the witness box as such adverse inference is to be withdrawn against the respondent. In support of this contention, he has placed reliance on judgment case titled as **Iswar Bhai C. Patel @ Bachu Bhai Patel Vs. Harihar Behera and anrs., 1999(2) Civil Court Cases 1 (S.C)**. So far as this judgment is concerned, the facts of this authority are entirely different from the facts in hand.

Moreover, the respondent has also led its evidence by examining RW-1 Shri Pawan Thakur as such the ratio of this authority is not applicable to the facts in hand.

34. Reliance was also placed **2018 (1) Civil Court Case 261 (T&A), 2018 (1) Civil Court Cases 262 (Chhatisgarh), 1999 (2) Civil Court Cases 6 (P&H), 1999 (2) Civil Court Cases 91 (SC), 1999 (2) Civil Court Cases 104 (Calcultta), 2018 (2) Civil Court Cases 112 (HP), Rajesh Kumar Vs. State of Jharkhand and Ors Civil Appeal No…… of 2024 arising out of SLP(C) No. 21752 of 2024, CWP No. 2863 of 2020 (H.P.), AIR 1966 SC 735, AIR 2010 SC 2261, (2011) 3 SCC 436, (2011) 3 SCC 464, (2016) 6 SCC 323, AIR 1971 SC 530**. However, the facts of all above case laws as cited by the Ld. Counsel for the petitioner are entirely different from the facts in hand as such these judgments have not been discussed in detail. Ld. Counsel for the petitioner has also cited authorities in written submissions, however, neither the copies thereof were supplied by him despite various opportunities nor the same could be found by this Tribunal on the internet.

35. Though, it was also argued by Ld. Counsel for the petitioner that no objection was taken in the office report by this Tribunal that the powers under Section 17(1) of the Act cannot be delegated under Section 17(2) of the Act. So far as this plea is concerned, the same could only be decided by this Court on judicial side and office of this Tribunal was not having power to decide such questions in the office report.

36. Thus, it is amply clear from the above judgments that powers under Section 17(2) of the Act cannot be delegated to the Labour-*cum*-Conciliation Officer, Solan to make a reference under Section 17(2) of the Act nor any such notification has been produced or brought to the notice of this Court that the Labour-cum-Conciliation Officer, Solan was authorized to make a reference to this Court even under Section 17(2) of the Act.

37. In view of the discussion made hereinabove, and in view of the ratio of judgment of Hon'ble High Court of Bombay at Nagpur bench, followed by the Hon'ble High Court of Bombay at Aurangabad Bench (supra), that the Government cannot delegate its powers under Section 17 (2) of the Act to any Labour Officer to file a reference in this regard before this Court. The reference, thus, which has been made to this Court is without any jurisdiction and the same is not maintainable. Accordingly, both these issues are decided against the petitioner.

RELIEF

38. In view of my findings on issues no. 1 to 4, above, the claim filed by the petitioner fails and hereby dismissed. The reference is answered in the aforesaid terms. Let a copy of this award be communicated to the Appropriate Government as well as to the Labour Officer, Solan zone for further action. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 30th Day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Reference No. : 77 of 2017

Instituted on : 01-06-2017

Decided on : 30-03-2026

Yash Pal Kapoor, Kapoor Niwas, Near HRTC Workshop, New Kather, P.O. Chambaghat, Distt. Solan, H.P. ..*Petitioner.*

VERSUS

1. The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002.

2. M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh. ..*Respondents.*

Reference under Section 17(2) of the Working Journalists and other Newspaper Employees (Conditions of Services and Miscellaneous Provisions) Act, 1955.

For the petitioner : Sh. R.R. Thakur, Advocate

For the respondents : Sh. Surinder Saklani, Advocate

AWARD

The Labour-*cum*-Conciliation Officer, Solan Zone Solan has made the following reference to this Court after failure of the conciliation proceedings:—

"**Whether the action of the employers The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002 and M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh for not paying claim of arrears amounting to Rs. 14,63,261/- (Rs. Fourteen Lac Sixty Three Thousand Two Hundred Sixty One only) Sh. Yash Pal Kapoor, Kapoor Niwas, Near HRTC Workshop, Near Kather, P.O. Chambaghat, Distt. Solan, H.P. as difference of wages actually drawn and due as per recommendation of Majithia Waged Boards (Copy of claim enclosed) constituted under Section 9 & 13(C) of the Working Journalists and Other Newspaper Employees (Conditions of Services and Miscellaneous Provisions Act, 1955) is legal and justified? If yes, to what amount of relied/ arrear, along-with interest etc., the aggrieved employee is entitled to from the above employer/ management?"**

2. The case as emerges from the statement of claim is that petitioner is qualified person having the qualification of Bachelor Degree in journalism and mass communication and joined as reporter in the establishment of the respondents on 01.10.2000 at Sirmaur District head quarter at Nahan and thereafter joined as Sub-Editor at Solan office on 22.12.2001 on monthly salary of Rs. 5,599/- per month which was revised by the respondents later on. The respondents in group of company named as Dainik Bhaskar Corporation Limited having its register office at Ahmadabad, Gujarat and regional offices throughout India. The respondents have employed the required staff

for running the business of printing, publishing newspapers under the name and style Dainik Bhaskar. The respondents is also having its office at Solan where the staff of six persons are working on different post and designations and the staff/ workers who were recruited are covered by the Act applicable to the establishment of respondents. The persons who are working in the different establishment of newspapers were raising their demands for the enhancement of their wages and have submitted several representations to the Government of India for the increase of their wages under the Act. The Government of India constituted the Majithia Wage Board under the Act, who gave its recommendations to fix the wages of the persons working in the different newspaper's establishment in India. The Government of India after considering and examining the recommendations, made it applicable to all the newspaper establishment vide notification dated 11.11.2011. The respondents are bound to pay the wages/ salary to their employees according to the recommendations of Majithia Wage Board. The management of respondents along with several other newspapers groups challenged the validity of the Majithia Wage Board recommendation before the Hon'ble Supreme Court of India which was finally dismissed and specific direction was issued to release the benefits of Majithia Wage Board recommendation vide order dated 07.02.2014 within a period of one year along with arrears. The petitioner is working as a Sub-Editor/Reporter in the establishment of respondent at Solan since 25.12.2001 as such he is entitled for the benefits of Majithia Wage Board recommendation under category Group-V. The petitioner served notice to the respondents through Labour Officer, Solan under the Industrial Disputes Act read with Working Journalist Act for implementation of recommendation after submitting the calculation of the arrears which is to be paid by the respondents to the petitioner, but the respondents did not appear before the Labour Officer, Solan as such the Labour Officer issued the certificate of recovery against the respondents. The respondents then approached the Labour Commissioner Shimla who recall the recovery certificate and directed the Labour Officer to give an opportunity of being heard to the respondents. The respondent filed reply before the Labour Officer Solan, wherein two questions of is declaration under Clause 20 J of Majithia Wage Board recommendations and another that the Shimla Unit of the respondent is a loss-making unit were raised. Petitioner averred that the declaration was taken from the petitioner by the respondent under duress and under the threat of transfer and it was not a voluntarily declaration of the petitioner. It was disputed that Shimla unit is a loss-making unit. It is further averred that after consideration of reply, the Labour Officer Solan due to non-co-operation of the respondent the conciliation failed and the matter was referred to this Court for final adjudication. The petitioner is covered under category Group-V as mentioned in the recommendation of Majithia Wage Board whereas respondent falls under Class-I as per their own declaration made about Rs. 2200 Crore per annum as such the petitioner was entitled for the monthly salary of Rs. 19,360/- but the respondent was paying only Rs. 5,599/- per month. The petitioner is entitled for Rs. 20,29,866/- from November 2011 to June 2017. The respondents falls under Class-I as per their own declaration. The petitioner has lodged his legitimate claim through demand notice and has made his claim as directed by the Hon'ble Supreme Court of India. It is prayed through this claim petition that the respondents be directed to pay Rs. 20,29,866/- along with interest @12% per annum to the petitioner from 11.11.2011 to June 2017 as per direction given by the Hon'ble Supreme Court of India and, the respondents be also directed to pay salary and arrears after June 2017 to the petitioner as per the recommendation of Majithia Wage Board.

3. Notice of this claim was sent to the respondent in pursuance thereof the respondent contested the claim by filing reply wherein it is submitted that the Solan office is a sub-office of the respondent which is governed and managed by Shimla Office and Shimla office does separate

business and manage separate balance sheet etc., where some employees are working with digital division/wing and also employed by digital division. As per the directions issued by the Hon'ble Apex Court, only the eligible working and non-working journalists falls under the preview and definition as enshrined under the Act and are entitled for the payment in terms of the Majithia Wage Board recommendation. All working/ non-working journalists are not eligible or entitled for the salary in terms of Majithia Wage Board recommendation. The petitioner is not legally entitled for the wages as per the recommendation of Majithia Wage Board as petitioner has submitted his declaration under clause 20(J) before the respondent whereby, he has willfully and with free consent has opted to retain his current salary and emoluments. The respondents have not acted in any manner which is in contravention of the direction of Hon'ble Apex Court. The petitioner knowingly about his in-eligibility for getting the benefits as per recommendation has started to take undue advantages from the respondents. It is denied that the petitioner is entitled for any arrears of amount from November 2011 to June 2017 along with interest @12% per annum. The petitioner does not fall under the purview of the definition of either working journalist or non-working journalist. The respondent prayed for dismissal of the claim petition.

4. Petitioner filed rejoinder in which he denied preliminary objections raised by the respondent and also denied the averments as made in the reply and reaffirmed those as made in the statement of claim.

5. On the pleadings, this Court formulated the following issues on 31.07.2018.

1. Whether the action of the employer/respondent for not paying claim of arrears amounting to Rs. 14,63,261/- (Rs. Fourteen Lac Sixty Three Thousand Two Hundred Sixty One only) to the petitioner as differences of wages actually drawn and due as per recommendation of Majithia Wage Board constituted under Section 9 & 13 (C) of the Working Journalists and other Newspaper Employees (Conditions of service and Miscellaneous Provisions Act, 1955) is illegal and unjustified, as alleged? ..*OPP*.

2. If issue no. 1 is proved in affirmative, to what amount of relief/ arrear, along-with interest etc., the petitioner is entitled? ..*OPP*.

3. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed. Petitioner appeared in the witness box as PW-1, whereas respondent examined Shri Pawan Thakur as RW-1.

7. Besides having heard the Ld. Counsel for the parties and going through the written submissions filed on behalf of both the parties, I have also gone through the records of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : No.

Issue No. 2 : Not entitled to any relief.

Relief : Reference is answered in Negative as per operative part of the Award.

REASONS FOR FINDINGS

ISSUES NO. 1 & 2.

9. Both these issues are intermingled and inter-connected and require common appreciation of the evidence, as such both these issues are taken up together for the purpose of determination.

10. Onus to prove issues no.1 & 2 is on the petitioner.

11. The claim of the petitioner is based upon the fact that Central Government constituted Majithia Wage Board for revision of wages of newspaper establishments and the Majithia Wage Board recommended revision in wages on 01.07.2010. The said recommendations were accepted by the Central Government *vide* notification dated 11.11.2011. The recommendations of the Majithia Wage Board were notified by the Government, which were challenged by the various newspaper agencies before the Hon'ble Apex Court, however, the Hon'ble Apex Court has upheld the recommendations of the Majithia Board.

12. Before proceeding further, it would be appropriate to first discuss the evidence which is on record.

13. To prove his case, the petitioner stepped into the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. He also placed on record the copy of joining report Ex. PW-1/B, copy of letter dated 25.04.2011 Ex. PW-1/C, copy of letter dated 29.07.2013 Ex. PW-1/D, copy of letter dated 22.04.2014 Ex. PW-1/E and copy of annual appraisal letter dated 29.07.2015 Ex. PW-1/F.

14. During cross-examination, he stated that he is working with the Dainik Bhaskar since 1st October 2000 and getting salary of Rs. 3,000/-. The salary used to come from the Chandigarh Office. He stated that he has knowledge about the Majithia Wage Board recommendations. He stated that he had signed some undertaking relating to clause 20(J). Self stated that he had signed the documents on 31.05.2014. He denied that he does not fall in the category of working journalist, as per the wage board recommendations.

15. This is the entire evidence which has been led by the petitioner.

16. In order to rebut the case of the petitioner, respondents examined Shri Pawan Thakur as RW-1 and led his evidence by way of affidavit Ex. RW-1/A, wherein he has deposed that he is working in Dainik Bhaskar since, 2003 and at present he is working as Bureau Chief. He further deposed that petitioner was working under him and some employees were working under the petitioner and he used to intersect for daily routine work vis-à-vis used to forward/ recommend leave application/ appraisal letter of subordinate staff. He also deposed that he had given option under Section 20J to the management like other employees.

17. During cross-examination, he stated that he was working with the respondents as bureau chief at Solan. He stated that the office was maintaining attendance register. Self-stated that

presently there is no register. He showed ignorance that the photocopies of the attendance register are the true version. He stated that he did not discontinue the marking of presence of the employees in the attendance register. Self stated that it was discontinued 5-6 years ago. He admitted that petitioner and Mohan Chauhan were working under him. He admitted that letter dated 25.04.2011 mark-RX-2 was issued by the respondent to Yash Pal Kapoor. He admitted that Yashpal Kapoor, Mohan Chauhan and Jai Chand Sharma were transferred during the pendency of the reference. He denied that he did not allow the petitioner to do work by not complying the order of this Court. He showed ignorance that petitioner Yashpal, Mohan Chauhan and Jai Chand had supplied the orders of this Court to him and his superiors. He denied that the salary of the petitioner has been stopped by him since June, 2019. He admitted that he has not placed any authority letter on record.

18. This is the entire evidence which has been led by the respondents.

19. So far as the claim of the petitioner is concerned though the claim of the petitioner is based on the recommendations of Majithia Wage Board and on notification dated 11.11.2011. As per the case of the petitioner, he was offered the job of reporter by the respondent and he joined as such on 01.10.2000. Whereas the stand taken by the respondent is that all working/ non-working journalists are not eligible or entitled for the salary in terms of Majithia Wage Board recommendation and even the petitioner knowingly about his in-eligibility for getting the benefits as per recommendations has started to take undue advantages from the respondent as the petitioner has submitted his declaration under clause 20(J) before the respondent whereby he has willfully and with free consent has opted to retain his current salary and emoluments. The case of the petitioner is that when he demanded the salary/wages as per the recommendation of Majithia Wage Board, the respondent refused to pay any heed to his request and thereafter the petitioner raised the demand notice.

20. The point which was raised in this reference by the respondent is that the provisions of Section 17(2) of the Act are similar to the provisions of Section 33-C(2) of the Industrial Disputes Act. The powers under section 33-C(2) of the I.D. Act confined on the Labour Court are that of executing Court as such the petitioner could not raise any dispute under Section 17(2) of the Act which was not pre-adjudicated or predetermined. The petitioner has raised the claim for difference in pay as per the recommendations of Majithia Wage Board. The reference has been made to this Court under Section 17(2) of the Act. Section 17 of the Act reads as under:

"17. Recovery of money due from an employer. –

(1) **Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorized by him in writing in this behalf or in case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him and if the State Government or such authority as the State Government may specify in this behalf, is satisfied that any amount is so die, it shall issue a certificate for that amount to the Collector, and the Collector or shall proceed to recover that amount in the same manner as an arrear of land revenue.**

(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947. (14 of 1947), or under any corresponding law relating to investigation and settlement of Industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if question so referred were a matter referred to the Labour Court for the adjudication under that Act or law.

(3) …….

21. The Hon'ble High Court of Judicature of Madras in **WP No. 6343 of 2022 dated 15.04.2022 case titled as S. Madhavan Vs. M/s THG Publishing Pvt. Ltd. (formerly M/s Kasturi & Sons Ltd.) 859 and 860 Anna Salai Chennai-6000002** has dealt with the similar matter. The Hon'ble high Court of Madras has considered the scope of Section 17(2) of the Act and held as under:

"10. **It is not disputed that the claim of the petitioner for difference in Dearness Allowance for the period 11.11.2011 is based on the Award of the Majithia Wage Board, which was approved by the Government of India on 11.11.2011 and confirmed by the Hon'ble Supreme Court in W.P. (Civil) No. 246 of 2011 on 07.02.2014. The petitioner's raised a dispute claiming difference in Dearness allowance and the same was referred to the Labour Court by the Government of Tamil Nadu in G.O. (ID) 441 dated 21.07.2016 under Section 17 (2) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act 1955. During the pendency of the said reference in the present 205/2011 the petitioner's were retrenched and hence the complaint under Section 33(1) (a) of the I.D. Act was filed. Let me now refer to the provisions of the Working Journalist Act as well as the ID Act which are relevant for the purpose of this case. Section 2(K) of the ID Act reads as follows:**

"2(k)" industrial dispute" means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person; "

Section 17(2) of the Working Journalist Act which reads as follows:

"17(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

11. The reading of Section 17(2), particularly the phrase "as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law", in my view cannot convert the question into a dispute as defined and understood under Section 2(K) of the I.D. Act. The words, as if the question so referred were a matter referred to the Labour Court for adjudication under the act or law" would only mean that while answering the question the Labour Court would adjudicate it in the same manner as it would adjudicate a reference under the I.D. Act. To say that the reference of the question to the Labour Court changes the character of the reference into an industrial dispute goes against the letter and spirit of the said provision. The legislature has used the term "refer the question". The legislature has consciously avoided the term 'dispute', because the legislature was aware that the term 'dispute' has its own connotations under the I.D. Act. From a reading of the definition of Industrial Dispute under Section 2(k), it is clear that the question that is referred under Section 17(2) cannot be construed as an industrial dispute. An industrial dispute referred to therein is in relation to non employment, the terms of employment or conditions of labour. Whereas the question under Section 17(2) relates to computation of claim and hence, it would not fall under the definition of industrial dispute under the ID Act.

12. As rightly contended by the learned counsel for the respondent Section 17 of the Working Journalist Act is akin to Section 33 (C)(2) of the I.D. Act. It is well settled by catena of Judgments of this Court as well as Hon'ble Supreme Court that the jurisdiction exercised by the Labour Court under Section 33(C) (2) is that of an Executing Court. In the present case, it is seen that the recommendations of the Majithia Wage Board were accepted by the Government of India on 11.11.2011 and the same was challenged before the Hon'ble Supreme Court, which confirmed the recommendations of the Majithia Wage Board, but with modification that the same would be effective from 11.11.2011 only.

13. It is the respondents' case that the respondent had paid the dues to the petitioner and other employees as per the order of the Hon'ble Supreme Court in 2014-2015 itself, but the petitioner claimed higher Dearness Allowance and therefore petitioned the Government under the Working Journalist Act. The Government in terms of Section 17 of the Working Journalist Act referred the claim petition to the Principal Labour Court. The aforesaid facts clearly establish that the question referred to was a claim relating to the computation of difference in the Dearness Allowance paid by the respondent to the petitioner. In my view, the question referred to the Labour Court on the basis of the Majithia Wage Board recommendations relates to computation of Dearness Allowance under Section 17(2) of the Working Journalist Act and hence not an industrial dispute as defined in the Industrial Disputes Act. I am fortified in my view by the Judgment of the Hon'ble Division Bench of the Gujarat High Court in Keshavlal M. Rao Vs. State of Gujarat and Others reported in 1993 (1) LLN 373. The Hon'ble Chief Justice, S. Nainar Sundaram, J. while considering similar issue held as follows:

"Section 17 to a very great extent by verbalism and by implications stands in pari materia with Section 33C of the Industrial Disputes Act, 1947. Section 33C(1) of the

Industrial Disputes Act, 1947 is comparable with Section 17(1) of the Act; and Section 33C(2) of the Industrial Disputes Act, 1947 is comparable with Section 17(2) of the Act. The scope of Section 33C of the Industrial Disputes Act, 1947 has come up for consideration by pronouncements not only at the level of the High Courts but also at the level of the Apex Court of the land. They are incisive and they have, without any ambiguity characterized the machinery under Section 33C(2) of the Industrial Disputes Act, 1947 as one relatable to execution stage and not at the adjudicatory level over the right to relief claimed by applicant and denied by the opponent. They have held that investigation into and determination of any dispute regarding the applicant's right to relief and the corresponding liability of the opponent will be outside the scope of the said provision. The set of expression found in Section 33C(2) of the Industrial Disputes Act, 1947 is "If any question arises as to the amount of money due", from the employer to the workman. As already noted, the set of expressions used in Section 17(2) of the Act is "If any question arises as to the amount due under this Act to a newspaper employee from his employer". Under Section 33C(2) of the Industrial Disputes Act, 1947, the specified Labour Court decides that question. Under Section 17(2) of the Act, the question gets referred to the Labour Court for its decision over it. The similar features between the two provisions are very portent and on the basic factor that the provisions are in pari materia, there is every warrant for applying the ratio of the judicial pronouncements delineating the scope of Section 33C(2) of the Industrial Disputes Act, 1947 to delineate the scope of Section 17(2) of the Act."

22. Since, it has been held by the Hon'ble High Court of Madras that the provisions of Section 17(2) of the Act are akin to the provisions of Section 33-C(2) of the Act and such proceedings under Section 33-C(2) are summery in nature. Thus, the pronouncement delineating the scope of Section 33-C (2) of the Industrial Disputes Act, 1947 would also be helpful for disposal of this case. The Hon'ble Apex Court in case titled as **Municipal Corporation of Delhi Vs. Razak (1995 SCC 1- 235)** has held as under:

"**Dispute relating to entitlement is not incidental to the benefit claimed and is, therefore, clearly outside the scope of a proceeding under** Section 33- **C(2) of the Act. The Labour Court has no jurisdiction to first decide the workmen's entitlement and then proceed to compute the benefit so adjudicated on that basis in exercise of its power under** Section 33-C(2) **of the Act. It is only when the entitlement has been earlier adjudicated or recognized by tile employer and thereafter for the purpose of implementation or enforcement thereof some ambiguity requires interpretation that the interpretation is treated as incidental to the Labour Court's power under** Section 33- **C(2) like that of the Executing Court's power to interpret the decree for the purpose of its execution**".

23. Similar is the judgment(s) of Hon'ble Supreme Court reported in **2006 (109) FLR 530 case titled as Union of India and another Vs. Kankuben (dead) by LRs. and others** and **Bombay Chemical Industries Vs. Deputy Labour Commissioner and Anr., 2022 Live Law (SC) 130**.

24. In view of the discussion made hereinabove, it is amply clear that the jurisdiction of Labour Court under Section 17(2) of the Act is limited to the computation of amount due and it

cannot decide the dispute as to the entitlement of the petitioner to be fixed in a particular group or to determine that for what salary he is entitled to under the recommendations of Majithia Wage Board. In **Navbharat Press Employees union, Mafatlal Employees Union Vs. State of Maharashtra, Labour Industries and Energy Department and Ors., 2009 (III) Bom LR 4347**, the double bench of Hon'ble High Court of Bombay has held that the question as to which class the petitioner falls involves detailed investigation as regard gross revenue of respondent establishment, therefore, the same cannot be termed as mere implementation or execution of the Manisana Award. The relevant para of the aforesaid judgment is as under:

> "15. **The dispute in this case is as regards entitlement of the members of the petitioner union to higher watges on the basis that respondent 5 falls in class II and not in class IV of clause 6 of the Manisana Award and, therefore, the basic question which has to be decided is as to in which class respondent 5 falls. That would involve a detailed investigation as regards gross revenue of respondent 5. For that purpose, various documents including the balance sheet of respondent 5 will have to be gone into. Therefore, this is not a mere implementation or execution of the said Manisana Award**."

25. The Hon'ble Apex Court in case titled as **Kasturi and Sons PrivateLtd., Vs. N. Salivateswaran and another AIR 1958 507**, has held that the enquiry contemplated under Section 17 of the Act is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree and award. The relevant paras of the aforesaid judgment are reproduced as under:

> "8**. It is significant that the State Government or the specific authority mentioned in** s. 17 **has not been clothed with the normal powers of a court or a tribunal to hold a formal enquiry. It is true that** s. 3**, sub-s. (1) of the Act provides for the application of the** Industrial Disputes Act, 1947**, to or in relation to working journalists subject to sub-s. (2); but this provision is in substance intended to make working journalists workmen within the meaning of the main** Industrial Disputes Act**. This section cannot be read as conferring on the State Government or the specified authority mentioned under** s. 17 **power to enforce attendance of witnesses, examine them on oath, issue commission or pass orders in respect of discovery and inspection such as can be passed by the boards, courts or tribunals under the** Industrial Disputes Act**. It is obvious that the relevant provisions of s. 11 of the** Industrial Disputes Act, 1947**, which confer the said powers on the conciliation officers, boards, courts and tribunals cannot be made applicable to the State Government or the specified authority mentioned, under** s. 17 **merely by virtue of** s. 3(1) **of the act.**
>
> **9. In this connection, it would be relevant to remember that** s. 11 **of the act expressly confers the material powers on the Wage Board established tinder** s. 8 **of the Act. Whatever may be the true nature or character of the Wage Board-whether it is a legislative or an administrative body-the legislature has taken the precaution to enact the enabling provisions of** s. 11 **in the matter of the said material powers. It is well known that, whenever the legislature wants to confer upon any specified authority powers of a civil court in the matter of holding enquiries, specific provision is made in that behalf. if the legislature had intended that the enquiry authorized under** s.

17 **should include within its compass the examination of the merits of the employee's claim against his employer and a decision on it, the legislature would undoubtedly have made an appropriate provision conferring on the State Government or the specified authority the relevant powers essential for the purpose of effectively holding such an enquiry. The fact that the legislature has enacted** s. 11 **in regard to the Wage Board but has not made any corresponding provision in regard to the State Government or the specified authority under s. 17 lends strong corroboration to the view that the enquiry contemplated by** s. 17 **is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree, award, or other valid order obtained by the employee after establishing his claim in that behalf. We are reluctant to accept the view that the legislature intended that the specified authority or the State Government should hold a larger enquiry into the merits of the employee's claim without conferring on the State Government or the specified authority the necessary powers in that behalf. In this connection, it would be relevant to Point out that in many cases some complicated questions of fact may arise when working journalists make claims for wages against their employers. It is not unlikely that the status of the working journalist, the nature of the office he holds and the class to which he belongs may themselves be matters of dispute between the parties and the decision of such disputed questions of fact may need thorough examination and a formal enquiry. If that be so it is not likely that the legislature could have intended that such complicated questions of fact should be dealt with in a summary enquiry indicated by** s. 17**."**

26. Coming to the case in hand, the petitioner has claimed that he falls under group-V as per recommendations of Majithia Wage Board, but no document or evidence has been led in this regard to establish that the respondent has a turnover of Rs. 2200 crores and falls under category-I as per recommendations of Majithia Wage Board.

27. The present claim has been preferred by the petitioner on the issue of non-payment of wages. Coming to the reference in hand, the Labour-*cum*-Conciliation Officer, Solan zone while exercising the powers vested in him vide notification dated 18.10.2016 has referred the dispute under Section 17(2) to this Court. Now, if the above notification is perused, the same reads as under:

"**In exercise of powers conferred as sub-section (1) of Section 17 of the Working Journalists and Other Newspaper Employees (Condition of Service) and Miscellaneous Act, 1955 (45 of 1955), the Governor of Himachal Pradesh is pleased to specify the Labour Officer of the Department of Labour and Employment, Himachal Pradesh as authority within their respective jurisdiction for the purpose of Section 17 of the Act ibid, with immediate effect**."

There is nothing on record to remotely suggest that the powers were also conferred upon the Labour-*cum*-Conciliation Officer, Solan *vide* any notification issued by the Government to refer the matter to this Court even under Section 17(2) of the Act.

28. Now, the question which has been raised before this Court is as to whether the Labour-cum-Conciliation Officer, Solan was competent to refer the matter to this Court in view of

notification dated 18.10.2016, as referred to supra under Section 17(2) of the Act. In this regard, it would be beneficial to refer to the judgment of Hon'ble High Court of Judicature at Bombay, Nagpur Bench, Nagpur in WP No. 6402 of 2019 dated 17.11.2022 case titled as **All India Reporter Private Limited, a Company incorporated and registered under the Companies Act having its registered office at Medows House, Nagindas Master Road, Fort, Mumbai – 400023 and its industrial establishment at Congress Nagar, Nagpur, through its Managing Director – Shri Sumant Widyadhar Chitaley (Original Party No.1). Vs. The State of Maharashtra, through the Secretary, Department of Industries, Energy and Labour, Mantralaya, Mumbai and anr.** The relevant portion of the judgment is reproduced as under:

"6**] In the light of the rival submissions, the question that deserves consideration is whether it is open for the State Government to delegate its power of referring a question arising under the Act of 1955 to any authority or whether such power has to be exercised by the State Government itself. To consider the said question, it would be necessary to refer to the provisions of Sections 17(1) and (2) of the Act of 1955, which read thus :**

"17. Recovery of money due from an employer.- (1) Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorised by him in writing in this behalf, or in the case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him, and if the State Government, or such authority, as the State Government may specify in this behalf, is satisfied that any amount is so due, it shall issue a certificate for that amount to the Collector, and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue. (2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

7]. A perusal of Section 17(1) of the Act of 1955 indicates that without prejudice to any other mode of recovery, it would be open for a newspaper employee to seek recovery of amount due to him by making an application to the State Government. On the State Government or such authority that the State Government may satisfy in this behalf being satisfied that any amount is so due, a certificate for such amount can be issued to the Collector who can then proceed to recover that amount in the same manner as an arrear of land revenue. It is clear from the said provision that the State Government has been conferred the power of delegating the task of determining whether any amount is due as claimed by a newspaper employee. The State Government can either itself or through such authority as specified issue a certificate as provided. In contrast, when the provisions of Section 17(2) of the Act of 1955 are analyzed, it becomes clear that no such power of delegation has been conferred on the State Government. Thus, if

any question arises as to the amount due under the Act of 1955, it is for the State Government either on its own motion or on upon an application made to it to refer the question to any Labour Court as permitted. In other words, the State Government has not been conferred any power to delegate the task of referring such question to any Labour Court. There is thus a clear distinction contained in the provisions of Sections 17(1) and 17(2) of the Act of 1955 inasmuch as the power of delegation conferred on the State Government under Section 17(1) is missing in Section 17(2) of the Act of 1955. In this regard, the learned Counsel for the petitioner is justified in relying upon the decision in M. Chandru (supra) wherein the Hon'ble Supreme Court has observed in clear terms that delegation of power is permissible if there exists such provision in the Principal Act. The power to delegate being a statutory requirement must find place in the Principal Act itself. It is thus clear that in the absence of any such power of delegation being conferred upon the State Government under Section 17(2) of the Act of 1955 to refer any question as to whether any amount is due under the Act of 1955 to a newspaper employee, such reference has to be made by the State Government itself.

8……..

9]. It was also submitted by the learned Counsel for the petitioner that since the members of the Union sought determination of their entitlement to higher wages, remedy under Section 17 of the Act of 1955 was not available. What was required to be resolved was an industrial dispute and therefore the members of the Union ought to have invoke appropriate jurisdiction in that regard. Reliance was placed on the decision in Sanjay Shalikram Ingle (supra). However, since it has been found that the Additional Commissioner of Labour was not empowered to make the reference under Section 17(2) of the Act of 1955 to the Labour Court, it would not be necessary at this stage to consider the said aspect of the matter. If a reference is made by the State Government under Section 17(2) of the Act of 1955, the said aspect can be considered at that stage".

29. This judgment was followed by the Hon'ble High Court of Bombay, Aurangabad Bench in case titled as **Head of Human Resources, Dainik Bhaskar Group Vs. Dinesh Devidas Pardeshi 2023 (177) FLR 218**.

30. Ld. Counsel for the petitioner has submitted through written submission that in earlier cases decided by this Court, the view has been taken that the reference has not been made by the Government and the reference made by Labour Officer is not maintainable. This Court in earlier cases has further held that there is no power with the Government to delegate its power to Labour Officer. It was submitted that in notification dated 18.10.2016 issued by the Government, there was no roll of the petitioner for making reference to this Court and the same has been done by the official of the Government specially specified in notification dated 18.10.2016. The dispute which was referred by the Government through Labour Officer, was checked by this Court and the office report was made on the file. No objection qua the maintainability on the basis of delegation of power under Section 17(2) was raised either in office report or by respondent in its reply but later on this point was raised by the respondent in arguments. Since, there is no roll of the petitioner in

making the reference to this Court, the petitioner should not suffer for the mistake/wrong or lapses committed by the Government or Labour Officer and in this regard, he has placed reliance on **AIR 1975 SC 915 case titled Ram Chandra Keshav Adke Vs. Govind Joti Chavare and (2011) 3 SCC 436 case titled as State of Orissa Vs. Mamta Mohanty** (judgments were not supplied by the Ld. Counsel for petitioner, however, the same were traced from the internet), but both these judgments are entirely on the different facts and have no connection to the case in hand, thus, observation made by the Hon'ble Supreme Court cannot be separated from the entire facts of the case and applied to the case in hand.

31. Ld. Counsel for the petitioner placed reliance on judgment case titled as **All India Reporter Karamchari Sangh and others Vs. All India Reporter Ltd. and others AIR 1988 Supreme Court 1325**. However, this judgment is based on some different facts. In this case the Hon'ble Supreme Court has held that "the Law Reports published by the 1st respondent are newspapers and the employees employed by the 1st respondent in their production or publication should be extended the benefit of the orders passed by the Central Government on the basis of the recommendations made by the Palekar Award." But the facts of this case are entirely different. It is not the case of the petitioner that the petitioner was a law reporter or was working in the production of the law reports. Since, the petitioner has claimed to be a reporter in the respondent newspaper the ratio of this judgment/authority cannot be applied to the case in hand. The reliance was also placed by the petitioner on the decision of Division Bench of Hon'ble High Court of Madhya Pradesh at Jabalpur case titled as **Rajasthan Patrika Pvt. Ltd. Vs. State of Madhya Pradesh and others RP-1076 and 1077-2019.** So far as this judgment is concerned, the Hon'ble High has held that even if the application has not been made in form C under Rule 36 of the Act and if such details are otherwise available although in a different manner, merely because such application was not filed in the prescribed form, the application cannot be thrown to winds. This Court has no reason to disagree with the decision of the Hon'ble High Court (supra) that the Act is a beneficent piece of legislation which is to be construed liberally and it cannot be interpreted in a hyper technical manner which may result into strangulating the litigant, but coming to the case in hand though application moved by the petitioner is not on record of the reference as such it cannot be made out, whether the same was made in Form C as provided under Section 36 of the Act, but lenient interpretation of the Act would not itself empower the Labour-cum-conciliation Officer to make a reference under Section 17(2) of the Act when no such powers were vested in him.

32. Ld. counsel for the petitioner has also placed reliance on judgment passed by the Hon'ble Supreme Court in **Contempt petition (Civil) No. 411 of 2014 in Writ Petition (Civil) No. 246 of 2011 case titled as Avishek Raja & Ors Vs. Sanjay Gupta**. In this case a contempt petition was filed for not implementing the recommendations of Majithia Wage Board, wherein the Hon'ble Supreme Court has held as under:

> **"27. Having clarified all doubts and ambiguities in the matter and upon holding that none of the newspaper establishments should, in the facts of the cases before us, be held guilty of commission of contempt, we direct that henceforth all complaints with regard to non-implementation of the Majithia Wage Board Award or otherwise be dealt with in terms of the mechanism provided under Section 17 of the Act. It would be more appropriate to resolve such complaints and grievances by resort to the**

enforcement and remedial machinery provided under the Act rather than by any future approaches to the Courts in exercise of the contempt jurisdiction of the Courts or otherwise.

Though this judgment is on different facts, but even in this judgment the Hon'ble Supreme Court has directed that all the complaints with regard to non-implementation of recommendations of Majithia Wage Board be dealt in terms of the mechanism as provided under Section 17 of the Act**,**

33. It was also argued by the Ld. Counsel for petitioner that the respondent has not appeared in the witness box as such adverse inference is to be drawn against the respondent. In support of this contention, he has placed reliance on judgment case titled as **Iswar Bhai C. Patel @ Bachu Bhai Patel Vs. Harihar Behera and anrs., 1999 (2) Civil Court Cases 1 (S.C)**. So far as this judgment is concerned, the facts of this authority are entirely different from the facts in hand. Moreover, the respondent has also led its evidence by examining RW-1 Shri Pawan Thakur as such the ratio of this authority is not applicable to the facts in hand.

34. Reliance was also placed **2018 (1) Civil Court Case 261 (T&A), 2018 (1) Civil Court Cases 262 (Chhatisgarh), 1999 (2) Civil Court Cases 6 (P&H), 1999 (2) Civil Court Cases 91 (SC), 1999 (2) Civil Court Cases 104 (Calcultta), 2018 (2) Civil Court Cases 112 (H.P.), Rajesh Kumar Vs. State of Jharkhand and Ors Civil Appeal No…… of 2024 arising out of SLP(C) No. 21752 of 2024, CWP No. 2863 of 2020 (HP), AIR 1966 SC 735, AIR 2010 SC 2261, (2011) 3 SCC 436, (2011) 3 SCC 464, (2016) 6 SCC 323, AIR 1971 SC 530**. However, the facts of all above case laws as cited by the Ld. Counsel for the petitioner are entirely different from the facts in hand as such these judgments have not been discussed in detail. Ld. Counsel for the petitioner has also cited authorities in written submissions, however, neither the copies thereof were supplied by him despite various opportunities nor the same could be found by this Tribunal on the internet.

35. Though, it was also argued by Ld. Counsel for the petitioner that no objection was taken in the office report by this Tribunal that the powers under Section 17(1) of the Act cannot be delegated under Section 17(2) of the Act. So far as this plea is concerned, the same could only be decided by this Court on judicial side and office of this Tribunal was not having power to decide such questions in the office report.

36. Thus, it is amply clear from the above judgments that powers under Section 17(2) of the Act cannot be delegated to the Labour-*cum*-Conciliation Officer, Solan to make a reference under Section 17(2) of the Act nor any such notification has been produced or brought to the notice of this Court that the Labour-*cum*-Conciliation Officer, Solan was authorized to make a reference to this Court even under Section 17(2) of the Act.

37. In view of the discussion made hereinabove, and in view of the ratio of judgment of Hon'ble High Court of Bombay at Nagpur bench, followed by the Hon'ble High Court of Bombay at Aurangabad Bench (supra), that the Government cannot delegate its powers under Section 17 (2) of the Act to any Labour Officer to file a reference in this regard before this Court. The reference, thus, which has been made to this Court is without any jurisdiction and the same is not maintainable. Accordingly, both these issues are decided against the petitioner.

RELIEF

38. In view of my findings on issues no. 1 & 2, above, the claim filed by the petitioner fails and hereby dismissed. The reference is answered in the aforesaid terms. Let a copy of this award be communicated to the Appropriate Government as well as to the Labour Officer, Solan zone for further action. The file after due completion be tagged with the main case file.

Announced in the open Court today on this 30th Day of March, 2026.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

IN THE COURT OF ANUJA SOOD, PRESIDING JUDGE
HP INDUSTRIAL TRIBUNAL-CUM-**LABOUR COURT, SHIMLA**

Reference No. : 78 of 2017

Instituted on : 01-06-2017

Decided on : 2025

Rai Singh Thakur, S/o Sh. Chamel Singh Thakur, R/o Rekha Apartment, Near Athena Public School, Dhobighat, Solan, District Solan, H.P. ..*Petitioner.*

VERSUS

1. The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002.

2. M/S Dainik Bhaskar Group, Plot No. 11-12, Sector 25-D, Chandigarh. ..*Respondents.*

Reference under Section 17(2) of the Working Journalists and other Newspaper Employees (Conditions of Services and Miscellaneous Provisions) Act, 1955.

For the petitioner : Sh. R.R. Thakur, Advocate

For the respondents : Sh. Surinder Saklani, Advocate

AWARD

The Labour-*cum*-Conciliation Officer, Shimla Zone Shimla has made the following reference to this Court after failure of the conciliation proceedings:—

"**Whether the action of the employers The State Head M/S Dainik Bhaskar Group, Malbrow House, Near Secretariat Chhota Shimla 171002 and M/S Dainik Bhaskar Group, Plot No. 11-12, Sector-25D, Chandigarh for not paying claim of arrears**

amounting to Rs. 19,56,070/- (Rs. Nineteen Lac Fifty Six Thousand Seventy only) Sh. Rai Singh Thakur R/o Rekha Apartment, Near Athena Public School, Dhobighat Solan, Distt. Solan, H.P. as difference of wages actually drawn and due as per recommendation of Majithia Waged Boards (Copy of claim enclosed) constituted under Section 9 & 13 (C) of the Working Journalists and Other Newspaper Employees (Condition of Services and Miscellaneous Provisions Act, 1955) is legal and justified? If yes, to what amount of relied/ arrear, along-with interest etc., the aggrieved employee is entitled to from the above employer/management?"

2. The case as emerges from the statement of claim is that petitioner is a diploma holder in electronics from ITI Solan. The petitioner had passed his diploma in the year 2000. Thereafter petitioner was offered the job of Press Photographer and the offer was accepted by the petitioner and joined the services in the year November, 2011. The petitioner was employed in the capacity of press photographer on the basis of monthly wages which was being paid by the Dainik Bhaskar from the date of his joining as press photographer till 10.04.2012. The respondents in group of company named as Dainik Bhaskar Corporation Limited having its register office at Ahemdabad, Gujarat and regional offices throughout India. The respondents has employed the required staff for running the business of printing, publishing newspapers under the name and style Dainik Bhaskar. The respondents is also having its office at Solan where the staff of six persons are working on different post and designations and the staff/ workers who were recruited are covered by the Act applicable to the establishment of respondents. The respondents used to pay full wages @ of Rs. 3,000/- per month of the petitioner being its press photographer and it continued up to 10.04.2012. After coming in force the Majithia Wage Board recommendations the respondent starts deducting income tax from the petitioner salary after 10.04.2012 just with the intention to escape its liability of Majithia Wage Board recommendations. 10.04.2012 the petitioner was being paid full salary by the respondent i.e. Rs. 3,000/- per month but after coming in operation the Majithia Wage Board recommendations on 11.11.2011 the respondent have manipulated the facts and starts deducting income tax from the salary of the petitioner @10% per month from May 2012. The Government of India constituted the Majithia Wage Board under the Act who give its recommendations to fix the wages of the persons working in the different newspapers establishment in India. The Government of India after considering and examine the recommendations, made it applicable to all the newspaper establishment vide notification dated 11.11.2011. Whereas, the petitioner is regular employees of the respondents and having employer-employee relations with the respondents. Respondents did not paid any heed to the requests of the petitioner then petitioner send demand notice through the Labour Officer, Solan where the petitioner is posted as Press Photographer. On 17.12.2016 reply to the demand notice was filed by the respondent which is not properly singed and verified by any authorized person. The petitioner being press photographer has been covered under the category/ Group-V in the Majithia Wage Board recommendations. The petitioner is entitled for the arrears as has been shown in the calculation sheet and entitled for other benefits such as LTA as mentioned in clause-18 of the recommendations and medical allowance as per clause-19 of the Majithia Wage Board recommendations. The petitioner is covered category Group-V in the Majithia Wage Board recommendation and was entitled for the monthly salary of Rs. 20,351/- per month on November 2011 but the respondents were paying only Rs. 3,000/- per month. The petitioner is entitled for Rs. 25,52,179/- from November 2011 to June 2017. The respondent falls under Class-I as per their own declaration. The petitioner has lodged his legitimate claim through

demand notice and sent through the Labour Officer Solan and has claimed his claim as directed by the Hon'ble Supreme Court of India. The Labour Officer Solan organized the meeting for the settlement of dispute but due to non co-operation of the respondent the conciliation failed and the matter was referred to this Court for final adjudication. The petitioner is working with the respondent in its office at Solan. The petitioner has lodged his legitimate claim through demand notice and has claimed his claim as directed by the Hon'ble Supreme Court of India. It is prayed through this claim petition that the respondents be directed to pay Rs. 25,52,179/- along with interest @12% per annum to the petitioner from 11.11.2011 to June 2017 as per direction given by the Hon'ble Supreme Court of India and, the respondents be also directed to pay salary and arrears after June 2017 to the petitioner as per the recommendation of Majithia Wage Board.

3. Notice of this claim was sent to the respondent in pursuance thereof the respondent contested the claim by filing reply wherein it is submitted that the petitioner professional services as a photographer is availed by the respondents and charges for the same were paid time to time after deduction of concern governments tax and for this reason the petitioner does not fall under the definition of workman or employee in the Industrial Disputes Act, working and non-working journalist Act and the same does not fall under the purview of Majithia Wage Board recommendations. The petitioner was never offered any job by the management and was never employed with the respondent. The petitioner has not worked in Dainik Bhaskar printing and Dainik Bhaskar Corporation Ltd. as a workman/ employee. The petitioner office situated in Solan which was governed and managed by Shimla office and the salary, professional and all other office expenses are maintained by the respondent office situated in Shimla. The respondent never deducted any amount of petitioner in relation to income tax. Further no relation as a employee and employer was exist between the petitioner and the respondents. Respondent only deducted TDS from the professional charges of the petitioner as per Government rules. The petitioner was never full/ part time employee of the respondent so he neither falls in any category / group nor covered under the Majithia Wage Board recommendations. The petitioner was not entitled for any salary of Rs. 20,351 under the Majithia Wage Board recommendations. The respondent does not falls under Class-I. Petitioner is not entitled for the claim of Rs. 25,52,179/- along with interest @12% per annum as an arrear from 11.11.2011 to June 2017. The respondent prayed for dismissal of the claim petition.

4. Petitioner filed rejoinder in which he denied preliminary objections raised by the respondent and also denied the averments as made in the reply and reaffirmed those as made in the statement of claim.

5. On the pleadings, this Court formulated the following issues on 31.07.2018.

1. Whether the action of the employer/respondent for not paying claim of arrears amounting to Rs. 19,56,070/- (Nineteen Lakh Fifty Six Thousand and Seventy only) to the petitioner as differences of wages actually drawn and due as per recommendation of Majithia Wage Board constituted under Section 9 & 13 (C) of the Working Journalists and other Newspaper Employees (Conditions of service and Miscellaneous Provisions Act, 1955) is illegal and unjustified, as alleged? ..*OPP*.

2. If issue no. 1 is proved in affirmative, to what amount of relief/ arrear, along-with interest etc., the petitioner is entitled? ..*OPP*.

3. Whether the petition is time barred, as alleged? ..*OPR.*

4. Whether this Court has no jurisdiction to adjudicate upon the present dispute, as alleged?

5. Relief.

6. Thereafter, the parties to the lis were directed to adduce evidence in support of the issues so framed. Petitioner appeared in the witness box as PW-1.

7. I have heard the Ld. Counsel Shri R.R. Thakur, Advocate for the petitioner and Shri Surender Saklani, Advocate for the respondent and gone through the records of the case carefully.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : No.

Issue No. 2 : Not entitled to any relief.

Issue No. 3 : No.

Issue No. 4 :

Relief : Reference is answered in Negative as per operative part of the Award.

REASONS FOR FINDINGS

ISSUES NO. 1 & 2.

9. Both these issues are intermingled and inter-connected and require common appreciation of the evidence, as such both these issues are taken up together for the purpose of determination.

10. Onus to prove issues no. 1 & 2 is on the petitioner.

11. The claim of the petitioner is based upon the fact that Central Government constituted Majithia Wage Board for revision of wages of newspaper establishments and the Majithia Wage Board recommended revision in wages on 01.07.2010. The said recommendations were accepted by the Central Government vide notification dated 11.11.2011. The recommendations of the Majithia Wage Board were notified by the Government, which were challenged by the various newspaper agencies before the Hon'ble Apex Court, however, the Hon'ble Apex Court has upheld the recommendations of the Majithia Board.

12. Before proceeding further, it would be appropriate to first discuss the evidence which is on record.

13. To prove his case, the petitioner stepped into the witness box as PW-1 and led his evidence by way of affidavit Ex. PW-1/A, which is just a reproduction of the averments as made in the petition. He also placed on record copies of statements of bank account mark-X, appreciation letter mark-Y and copy of identity card Ex. PW-1/B.

14. During cross-examination, he stated that he is working with the Dainik Bhaskar since November, 2001 and getting salary of Rs. 750/- the salary used to come from the Chandigarh Office. He stated that he has knowledge about the Majithia Wage Board recommendations and he was appointed as a Press Photographer in the Dainik Bhaskar. He stated that he does not signed some undertaking relating to clause 20(J). He denied that he does not fall in the category of working journalist, as per the wage board recommendations.

15. This is the entire evidence which has been led by the petitioner.

16. In order to rebut the case of the petitioner sufficient opportunities were granted to the respondents to led their evidence but the respondents failed to led any evidence as such after granting 20 opportunities to the respondent to led their evidence, this Court vide order dated 05.08.2022 closed the evidence of the respondents by the orders of the Court.

17. In order to rebut the case of the petitioner, respondent examined Shri Bharamanand Devrani, Dy. News Editor of respondent as RW-1. He deposed that he is working in the Dainik Bhaskar since July, 2010 and presently he is the Deputy News Editor of the paper in Shimla. He further deposed that he knows the petitioner who was working in the digital media and print media. He deposed that the petitioner used to work as a reporter and he also use do the work of sub-editing. He further deposed that the petitioner used to manage the staff under him and even sanctioned their leave.

18. During cross-examination, he deposed that he does not know when Dainik Bhaskar started operations in Shimla. He denied that when the petitioner was working with the respondent, digital media was not in operational there.

19. The other witness examined by the respondent is Shri Satnam Gill, Photographer of respondent, who appeared into the witness box as RW-2. His statement is also to the effect that the petitioner was working in the digital media.

20. During cross-examination, he deposed that in the year 2006, he was working under one Shri Tyagi (Editor).

21. Shri Bharamanand (RW-1) was again examined as RW-3, who tendered in evidence affidavit Ex. RW-3/A vide which he deposed that he is working with Dainik Bhaskar since 2010 and at present working as Deputy News Editor. He has made the similar statement as was made by him as RW-1.

22. However, during cross-examination, as RW-3, he has deposed that the petitioner is working as reporter since 2001-02 but then self-stated that he is not confirmed of the fact. He deposed that the petitioner worked with the respondent for 7-8 years.

23. Respondent also examined Shri Aditya Dube as RW-4, who led his evidence by way of affidavit Ex. RW-4/A vide which he deposed that he is working with the dainik bhaskar since October 2017 and at present working as Senior Manager, HR and Admin (CPH2). He further deposed that in view of clause 20 (j) of Majithia Wage Board Recommendations, who has signed the option, will get the salary as per the option and all the employees working at Shimla had given their signatures on option letter as per their will. He further deposed that as per the Majithia Wage Board Recommendations, only the business of newspaper establishment i.e circulation and advertisement of newspaper shall be counted and all the units have independent existence and the accounts of each unit are being prepared by that unit. He also deposed that the petitioner ceased to fall within the definition of workman as he was performing the supervisory duties and he was working independently. Petitioner fall within the exception of Section 2 (f) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act 1955 (hereinafter to be referred as the Act) as he was discharging supervisory/managerial duties. He also placed on record copy of declaration dated 15.11.2011 as Ex. RW-4/B.

24. During cross-examination, he deposed that he has not brought the record pertaining to the appointment, salary perks etc. of the petitioner. He admitted that the petitioner had worked as reporter with the respondent management. He is not aware that the recommendations of Majithia Wage Board are applicable to the reporters. He denied that all the dues and remuneration were not paid to the petitioner in this case as per the recommendation of Majithia Wage Board.

25. So far as the claim of the petitioner is concerned though the claim of the petitioner is based on the recommendations of Majithia Wage Board and on notification dated 11.11.2011 but while leading evidence as well as by submitting the statement of claim the petitioner has not made it clear or established on record that in which group of employee he falls nor there is any evidence to establish what kind of work was assigned to him to fix him in any of the group(s) of employee(s) as per the recommendations of Majithia Wage Board. Apart from that the petitioner has also not classified the class of newspaper establishment with which he was working. Though, the respondent has taken the plea that the petitioner does not fall within the definition of workman under the Act and he fall under the exception of Section 2 (f) of the Act. Even, it is presumed that the petitioner did fall under the definition of working journalist then also the petitioner has not made a single averment as to which category the unit in which he was working, did fall and in which category he falls as per the recommendations of the Majithai Wage Board. In the absence of any such pleadings and proof thereof, it is difficult for his Court to fix the petitioner in any of the categories.

26. As per the case of the petitioner, he worked with the respondent w.e.f. 01.04.2010 to Feb., 2014. At the time when the petitioner had moved application before the Labour Officer, there was no relationship of employer and employee between the parties.

27. Since, the petitioner has admitted that he left the services of the respondent, much before raising this claim and after the cessation of employment, the petitioner who was not in relationship of master and servant with the respondent cannot agitate that he was entitled to enhanced salary as per recommendations of Majithia Wage Board.

28. The other point which was raised in this reference by the respondent is that the provisions of Section 17(2) of the Act are similar to the provisions of Section 33-C(2) of the

Industrial Disputes Act. The powers uner section 33-C(2) of the I.D. Act confined on the Labour Court are that of executing Court as such the petitioner could not raise any dispute under Section 17(2) of the Act which was not pre-adjudicated or predetermined. The petitioner has raised the claim for difference in pay as per the recommendations of Majithia Wage Board. The reference has been made to this Court under Section 17(2) of the Act. Section 17 of the Act reads as under :

"17. Recovery of money due from an employer. –

(1) **Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorized by him in writing in this behalf or in case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him and if the State Government or such authority as the State Government may specify in this behalf, is satisfied that any amount is so die, it shall issue a certificate for that amount to the Collector, and the Collector or shall proceed to recover that amount in the same manner as an arrear of land revenue.**

(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of Industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if question so referred were a matter referred to the Labour Court for the adjudication under that Act or law.

(3) …….

28. The Hon'ble High Court of Judicature of Madras in **WP No. 6343 of 2022 dated 15.04.2022 case titled as S. Madhavan Vs. M/s THG Publishing Pvt. Ltd. (formerly M/s Kasturi & Sons Ltd.) 859 and 860 Anna Salai Chennai-6000002** has dealt with the similar matter. The Hon'ble high Court of Madras has considered the scope of Section 17(2) of the Act and held as under:

"10. **It is not disputed that the claim of the petitioner for difference in Dearness Allowance for the period 11.11.2011 is based on the Award of the Majithia Wage Board, which was approved by the Government of India on 11.11.2011 and confirmed by the Hon'ble Supreme Court in W.P.(Civil)No.246 of 2011 on 07.02.2014. The petitioner's raised a dispute claiming difference in Dearness allowance and the same was referred to the Labour Court by the Government of Tamil Nadu in G.O.(ID) 441 dated 21.07.2016 under Section 17 (2) of the Working Journalist and other Newspaper Employees (conditions of service) and Miscellaneous Provisions Act 1955. During the pendency of the said reference in the present 205/2011 the petitioner's were retrenched and hence the complaint under Section 33(1) (a) of the I.D. Act was filed. Let me now refer to the provisions of the Working Journalist Act as well as the ID Act which are relevant for the purpose of this case. Section 2(K) of the ID Act reads as follows :**

"2(k)"Industrial Dispute" means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person; "

Section 17(2) of the Working Journalist Act which reads as follows :

“17(2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 (14 of 1947), or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said Act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law.”

11. The reading of Section 17(2), particularly the phrase “as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law”, in my view cannot convert the question into a dispute as defined and understood under Section 2(K) of the I.D. Act. The words, as if the question so referred were a matter referred to the Labour Court for adjudication under the act or law" would only mean that while answering the question the Labour Court would adjudicate it in the same manner as it would adjudicate a reference under the I.D. Act. To say that the reference of the question to the Labour Court changes the character of the reference into an industrial dispute goes against the letter and spirit of the said provision. The legislature has used the term "refer the question". The legislature has consciously avoided the term 'dispute', because the legislature was aware that the term 'dispute' has its own connotations under the I.D. Act. From a reading of the definition of Industrial Dispute under Section 2(k), it is clear that the question that is referred under Section 17(2) cannot be construed as an industrial dispute. An industrial dispute referred to therein is in relation to non employment, the terms of employment or conditions of labour. Whereas the question under Section 17(2) relates to computation of claim and hence, it would not fall under the definition of industrial dispute under the ID Act.

12. As rightly contended by the learned counsel for the respondent Section 17 of the Working Journalist Act is akin to Section 33(C)(2) of the I.D. Act. It is well settled by catena of Judgments of this Court as well as Hon'ble Supreme Court that the jurisdiction exercised by the Labour Court under Section 33(C)(2) is that of an Executing Court. In the present case, it is seen that the recommendations of the Majithia Wage Board were accepted by the Government of India on 11.11.2011 and the same was challenged before the Hon'ble Supreme Court, which confirmed the recommendations of the Majithia Wage Board, but with modification that the same would be effective from 11.11.2011 only.

13. It is the respondents’ case that the respondent had paid the dues to the petitioner and other employees as per the order of the Hon'ble Supreme Court in 2014-2015

itself, but the petitioner claimed higher Dearness Allowance and therefore petitioned the Government under the Working Journalist Act. The Government in terms of Section 17 of the Working Journalist Act referred the claim petition to the Principal Labour Court. The aforesaid facts clearly establish that the question referred to was a claim relating to the computation of difference in the Dearness Allowance paid by the respondent to the petitioner. In my view, the question referred to the Labour Court on the basis of the Majithia Wage Board recommendations relates to computation of Dearness Allowance under Section 17(2) of the Working Journalist Act and hence not an industrial dispute as defined in the Industrial Disputes Act. I am fortified in my view by the Judgment of the Hon'ble Division Bench of the Gujarat High Court in Keshavlal M.Rao Vs. State of Gujarat and Others reported in 1993 (1) LLN 373. The Hon'ble Chief Justice, S.Nainar Sundaram, J. while considering similar issue held as follows:

"Section 17 to a very great extent by verbalism and by implications stands in pari materia with Section 33C of the Industrial Disputes Act, 1947. Section 33C(1) of the Industrial Disputes Act, 1947 is comparable with Section 17(1) of the Act; and Section 33C(2) of the Industrial Disputes Act, 1947 is comparable with Section 17(2) of the Act. The scope of Section 33C of the Industrial Disputes Act, 1947 has come up for consideration by pronouncements not only at the level of the High Courts but also at the level of the Apex Court of the land. They are incisive and they have, without any ambiguity characterized the machinery under Section 33C(2) of the Industrial Disputes Act, 1947 as one relatable to execution stage and not at the adjudicatory level over the right to relief claimed by applicant and denied by the opponent. They have held that investigation into and determination of any dispute regarding the applicant's right to relief and the corresponding liability of the opponent will be outside the scope of the said provision. The set of expression found in Section 33C(2) of the Industrial Disputes Act, 1947 is "If any question arises as to the amount of money due", from the employer to the workman. As already noted, the set of expressions used in Section 17(2) of the Act is "If any question arises as to the amount due under this Act to a newspaper employee from his employer". Under Section 33C(2) of the Industrial Disputes Act, 1947, the specified Labour Court decides that question. Under Section 17(2) of the Act, the question gets referred to the Labour Court for its decision over it. The similar features between the two provisions are very portent and on the basic factor that the provisions are in pari materia, there is every warrant for applying the ratio of the judicial pronouncements delineating the scope of Section 33C(2) of the Industrial Disputes Act, 1947 to delineate the scope of Section 17(2) of the Act."

30. Since, it has been held by the Hon'ble High Court of Madras that the provisions of Section 17(2) of the Act are akin to the provisions of Section 33-C(2) of the Act and such proceedings under Section 33-C(2) are summery in nature. Thus, the pronouncement delineating the scope of Section 33-C (2) of the Industrial Disputes Act, 1947 would also be helpful for disposal of this case. The Hon'ble Apex Court in case titled as **Municipal Corporation of Delhi Vs. Razak (1995 SCC 1- 235)** has held as under :

"**Dispute relating to entitlement is not incidental to the benefit claimed and is, therefore, clearly outside the scope of a proceeding under** Section 33- **C(2) of the Act.**

The Labour Court has no jurisdiction to first decide the workmen's entitlement and then proceed to compute the benefit so adjudicated on that basis in exercise of its power under Section 33-C(2) **of the Act. It is only when the entitlement has been earlier adjudicated or recognized by tile employer and thereafter for the purpose of implementation or enforcement thereof some ambiguity requires interpretation that the interpretation is treated as incidental to the Labour Court's power under** Section 33- **C(2) like that of the Executing Court's power to interpret the decree for the purpose of its execution**".

31. Similar is the judgment(s) of Hon'ble Supreme Court reported in **2006 (109) FLR 530 case titled as Union of India and another Vs. Kankuben (dead) by LRs. and others** and **Bombay Chemical Industries Vs. Deputy Labour Commissioner and Anr., 2022 Live Law (SC) 130**.

32. In view of the discussion made hereinabove, it is amply clear that the jurisdiction of Labour Court under Section 17(2) of the Act is limited to the computation of amount due and it cannot decide the dispute as to the entitlement of the petitioner to be fixed in a particular group or to determine that for what salary he is entitled to under the recommendations of Majithia Wage Board. In **Navbharat Press Employees union, Mafatlal Employees Union Vs. State of Maharashtra, Labour Industries and Energy Department and Ors., 2009 (III) Bom LR 4347**, the double bench of Hon'ble High Court of Bombay has held that the question as to which class the petitioner falls involves detailed investigation as regard gross revenue of respondent establishment, therefore, the same cannot be termed as mere implementation or execution of the Manisana Award. The relevant para of the aforesaid judgment is as under :

"15. **The dispute in this case is as regards entitlement of the members of the petitioner union to higher watges on the basis that respondent 5 falls in class II and not in class IV of clause 6 of the Manisana Award and, therefore, the basic question which has to be decided is as to in which class respondent 5 falls. That would involve a detailed investigation as regards gross revenue of respondent 5. For that purpose, various documents including the balance sheet of respondent 5 will have to be gone into. Therefore, this is not a mere implementation or execution of the said Manisana Award**."

33. The Hon'ble Apex Court in case titled as **Kasturi and Sons Private Ltd., Vs. N. Salivateswaran and another AIR 1958 507**, has held that the enquiry contemplated under Section 17 of the Act is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree and award. The relevant paras of the aforesaid judgment are reproduced as under :

"8**. It is significant that the State Government or the specific authority mentioned in** s. 17 **has not been clothed with the normal powers of a court or a tribunal to hold a formal enquiry. It is true that** s. 3**, sub-s. (1) of the Act provides for the application of the** Industrial Disputes Act, 1947**, to or in relation to working journalists subject to sub-s. (2); but this provision is in substance intended to make working journalists workmen within the meaning of the main** Industrial Disputes Act**. This section cannot**

be read as conferring on the State Government or the specified authority mentioned under s. 17 **power to enforce attendance of witnesses, examine them on oath, issue commission or pass orders in respect of discovery and inspection such as can be passed by the boards, courts or tribunals under the** Industrial Disputes Act**. It is obvious that the relevant provisions of s. 11 of the** Industrial Disputes Act, 1947**, which confer the said powers on the conciliation officers, boards, courts and tribunals cannot be made applicable to the State Government or the specified authority mentioned, under** s. 17 **merely by virtue of** s. 3(1) **of the act.**

9. In this connection, it would be relevant to remember that s. 11 **of the act expressly confers the material powers on the Wage Board established tinder** s. 8 **of the Act. Whatever may be the true nature or character of the Wage Board-whether it is a legislative or an administrative body-the legislature has taken the precaution to enact the enabling provisions of** s. 11 **in the matter of the said material powers. It is well known that, whenever the legislature wants to confer upon any specified authority powers of a civil court in the matter of holding enquiries, specific provision is made in that behalf. if the legislature had intended that the enquiry authorized under** s. 17 **should include within its compass the examination of the merits of the employee's claim against his employer and a decision on it, the legislature would undoubtedly have made an appropriate provision conferring on the State Government or the specified authority the relevant powers essential for the purpose of effectively holding such an enquiry. The fact that the legislature has enacted** s. 11 **in regard to the Wage Board but has not made any corresponding provision in regard to the State Government or the specified authority under s. 17 lends strong corroboration to the view that the enquiry contemplated by** s. 17 **is a summary enquiry of a very limited nature and its scope is confined to the investigation of the narrow point as to what amount is actually due to be paid to the employee under the decree, award, or other valid order obtained by the employee after establishing his claim in that behalf. We are reluctant to accept the view that the legislature intended that the specified authority or the State Government should hold a larger enquiry into the merits of the employee's claim without conferring on the State Government or the specified authority the necessary powers in that behalf. In this connection, it would be relevant to Point out that in many cases some complicated questions of fact may arise when working journalists make claims for wages against their employers. It is not unlikely that the status of the working journalist, the nature of the office he holds and the class to which he belongs may themselves be matters of dispute between the parties and the decision of such disputed questions of fact may need thorough examination and a formal enquiry. If that be so it is not likely that the legislature could have intended that such complicated questions of fact should be dealt with in a summary enquiry indicated by** s. 17**."**

34. Though, reliance was placed by Ld. Counsel for the respondent on **AIR 1966-182 as well as on writ case no. 33532 of 2023**, but the facts of this authority are distinguishable from the facts of this case. Keeping in view my aforesaid discussion, both these issues are answered in negative and against the petitioner.

ISSUE NO. 3

35. So far as issue No. 3 is concerned, it is evident that an application was moved by the applicant before the designated authority under the Act for issuance of recovery certificate in

compliance of the order(s) dated 28.4.2015, 12.1.2016 and 23.8.2016 passed by the Hon'ble Apex Court in **CCP No. 128 of 2015 and 129 of 2015 and WP (C) No. 246 of 2011 dated 7.2.2014** and claimed for the dues since the issuance of notification by the Central Government on the recommendations of Majithia Wage Board. The applicant had also submitted Form C as per Rule 36 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957. It is evident from the record that the application was primarily made by the petitioner before the designated authority under the Working Journalists (conditions of Service) and Miscellaneous Provisions Act, 1955 for issuance of recovery certificate under section 17(1) of the Act. The petitioner had made a request that the directions issued by the Hon'ble Supreme Court vide order dated 23.8.2016 be complied with and in para no. 2 of the application the applicant had made it clear that that the application has been moved under section 17(1) of the Act and in the last of the para no. 3, it was mentioned by the applicant that since the employee has not preferred the application under Section 17(2), the same cannot be referred for adjudication under the misguided pressure of the management as the same would attract contempt of Court against the Labour Commissioner. Thus, it is amply clear that the application was preferred by the petitioner under section 17(1) of the Act. Coming to the reference in hand, the Labour-cum-Conciliation Officer, Shimla zone while exercising the powers vested in him vide notification dated 18.10.2016 has referred the dispute under Section 17(2) to this Court. Now, if the above notification is perused, the same reads as under:—

> "**In exercise of powers conferred as sub-section (1) of Section 17 of the Working Journalists and Other Newspaper Employees (Condition of Service) and Miscellaneous Act, 1955 (45 of 1955), the Governor of Himachal Pradesh is pleased to specify the Labour Officer of the Department of Labour and Employment, Himachal Pradesh as authority within their respective jurisdiction for the purpose of Section 17 of the Act ibid, with immediate effect**."

There is nothing on record to remotely suggest that the powers were also conferred upon the Labour-cum-Conciliation Officer, Shimla vide any notification issued by the Government to refer the matter to this Court even under Section 17(2) of the Act.

36. Now, the question which has been raised before this Court is as to whether the Labour-cum-Conciliation Officer, Shimla was competent to refer the matter to this Court in view of notification dated 18.10.2016, as referred to supra under Section 17(2) of the Act. In this regard, it would be beneficial to refer to the judgment of Hon'ble High Court of Judicature at Bombay, Nagpur Bench, Nagpur in WP No. 6402 of 2019 dated 17.11.2022 case titled as **All India Reporter Private Limited, a Company incorporated and registered under the Companies Act having its registered office at Medows House, Nagindas Master Road, Fort, Mumbai – 400023 and its industrial establishment at Congress Nagar, Nagpur, through its Managing Director – Shri Sumant Widyadhar Chitaley (Original Party No.1). Vs. The State of Maharashtra, through the Secretary, Department of Industries, Energy and Labour, Mantralaya, Mumbai and anr.** The relevant portion of the judgment is reproduced as under:

> "6**] In the light of the rival submissions, the question that deserves consideration is whether it is open for the State Government to delegate its power of referring a question arising under the Act of 1955 to any authority or whether such power has to**

be exercised by the State Government itself. To consider the said question, it would be necessary to refer to the provisions of Sections 17(1) and (2) of the Act of 1955, which read thus :

"17. Recovery of money due from an employer.- (1) Where any amount is due under this Act to a newspaper employee from an employer, the newspaper employee himself, or any person authorised by him in writing in this behalf, or in the case of the death of the employee, any member of his family may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the amount due to him, and if the State Government, or such authority, as the State Government may specify in this behalf, is satisfied that any amount is so due, it shall issue a certificate for that amount to the Collector, and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue. (2) If any question arises as to the amount due under this Act to a newspaper employee from his employer, the State Government may, on its own motion or upon application made to it, refer the question to any Labour Court constituted by it under the Industrial Disputes Act, 1947 or under any corresponding law relating to investigation and settlement of industrial disputes in force in the State and the said act or law shall have effect in relation to the Labour Court as if the question so referred were a matter referred to the Labour Court for adjudication under that Act or law."

7]. A perusal of Section 17(1) of the Act of 1955 indicates that without prejudice to any other mode of recovery, it would be open for a newspaper employee to seek recovery of amount due to him by making an application to the State Government. On the State Government or such authority that the State Government may satisfy in this behalf being satisfied that any amount is so due, a certificate for such amount can be issued to the Collector who can then proceed to recover that amount in the same manner as an arrear of land revenue. It is clear from the said provision that the State Government has been conferred the power of delegating the task of determining whether any amount is due as claimed by a newspaper employee. The State Government can either itself or through such authority as specified issue a certificate as provided. In contrast, when the provisions of Section 17(2) of the Act of 1955 are analyzed, it becomes clear that no such power of delegation has been conferred on the State Government. Thus, if any question arises as to the amount due under the Act of 1955, it is for the State Government either on its own motion or on upon an application made to it to refer the question to any Labour Court as permitted. In other words, the State Government has not been conferred any power to delegate the task of referring such question to any Labour Court. There is thus a clear distinction contained in the provisions of Sections 17(1) and 17(2) of the Act of 1955 inasmuch as the power of delegation conferred on the State Government under Section 17(1) is missing in Section 17(2) of the Act of 1955. In this regard, the learned Counsel for the petitioner is justified in relying upon the decision in M. Chandru (supra) wherein the Hon'ble Supreme Court has observed in clear terms that delegation of power is permissible if there exists such provision in the Principal Act. The power to delegate being a statutory requirement must find place in the Principal Act itself. It is thus clear that in the absence of any such power

of delegation being conferred upon the State Government under Section 17(2) of the Act of 1955 to refer any question as to whether any amount is due under the Act of 1955 to a newspaper employee, such reference has to be made by the State Government itself.

8……..

9]. It was also submitted by the learned Counsel for the petitioner that since the members of the Union sought determination of their entitlement to higher wages, remedy under Section 17 of the Act of 1955 was not available. What was required to be resolved was an industrial dispute and therefore the members of the Union ought to have invoke appropriate jurisdiction in that regard. Reliance was placed on the decision in Sanjay Shalikram Ingle (supra). However, since it has been found that the Additional Commissioner of Labour was not empowered to make the reference under Section 17(2) of the Act of 1955 to the Labour Court, it would not be necessary at this stage to consider the said aspect of the matter. If a reference is made by the State Government under Section 17(2) of the Act of 1955, the said aspect can be considered at that stage".

36. This judgment was followed by the Hon'ble High Court of Bombay, Aurangabad Bench in case titled as **Head of Human Resources, Dainik Bhaskar Group Vs. Dinesh Devidas Pardeshi 2023 (177) FLR 218**.

37. Thus, it is amply clear from the above judgments that powers under Section 17(2) of the Act cannot be delegated to the Labour-cum-Conciliation Officer, Shimla to make a reference under Section 17(2) of the Act nor any such notification has been produced or brought to the notice of this Court that the Labour-cum-Conciliation Officer, Shimla was authorized to make a reference to this Court even under Section 17(2) of the Act.

38. In view of the discussion made hereinabove, and in view of the ratio of judgment of Hon'ble High Court of Bombay at Nagpur bench, followed by the Hon'ble High Court of Bombay at Aurangabad Bench (supra), that the Government cannot delegate its powers under Section 17 (2) of the Act to any Labour Officer to file a reference in this regard before this Court. The reference, thus, which has been made to this Court is without any jurisdiction and the same is not maintainable. Hence, issue no.3 is decided against the petitioner**.**

RELIEF

39. In view of my findings on issues no.1 to 3, above, the claim filed by the petitioner fails and hereby dismissed. The reference is answered in the aforesaid terms. Let a copy of this award be communicated to the Appropriate Government as well as to the Labour Officer, Shimla zone for further action. The file after due completion be tagged with the main case file.

Announced in the open Court today on this rd Day of October, 2025.

Sd/-
(ANUJA SOOD),
Presiding Judge,
Industrial Tribunal-cum-*Labour Court,*

Shimla (H.P.).

बहुउद्देशीय परियोजनाएं एवं विद्युत विभाग

अधिसूचना

शिमला–02, 08 मई, 2026

संख्याः एमपीपी–ए(3)–2 / 2025–लूज़.––हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश विद्युत (शुल्क) अधिनियम, 2009 की धारा 3 (बी) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उपभोक्ताओं की निम्नलिखित श्रेणी को हिमाचल प्रदेश विद्युत (शुल्क) अधिनियम, 2009 की धारा 3(बी) की उप–धारा (1) में जनहित में तत्काल प्रभाव से सम्मिलित करते हैं :–

क्र0सं0	उपभोक्ता की श्रेणी	उपकर की दर
1.	व्यवसायिक प्रतिष्ठान	रुपये 1.00 प्रति यूनिट
2.	निजी कार्यालय	रुपये 1.00 प्रति यूनिट
3.	निजी अस्पताल	रुपये 1.00 प्रति यूनिट
4.	पैट्रोल पम्प	रुपये 1.00 प्रति यूनिट
5.	होटल / मोटल	रुपये 1.00 प्रति यूनिट
6.	निजी नर्सिंग होम	रुपये 1.00 प्रति यूनिट
7.	निजी अनुसंधान संस्थान	रुपये 1.00 प्रति यूनिट
8.	निजी कोचिंग संस्थान	रुपये 1.00 प्रति यूनिट
9.	शॉपिंग मॉल	रुपये 1.00 प्रति यूनिट
10.	मल्टीप्लेक्स	रुपये 1.00 प्रति यूनिट

इसके अतिरिक्त, हिमाचल प्रदेश के राज्यपाल यह भी आदेश करते हैं कि हिमाचल प्रदेश राज्य विद्युत बोर्ड लिमिटेड इन उपभोक्ताओं से उपरोक्त वर्णित दरों पर उपकर संगृहित करेगा।

आदेश द्वारा,

राकेश कंवर,
सचिव (विद्युत)।

[Authoritative English text of this Department Notification Number MPP-A(3)-2/2025-L, dated 8-5-2026 as required under clause (3) of the Article 348 of the Constitution of India].

MPP & POWER DEPARTMENT

NOTIFICATION

Shimla- 02, the 8th May, 2026

File No. MPP-A(3)-2/2025-L.—In exercise of the power conferred by Section 3-B of the Himachal Pradesh Electricity (Duty) Act, 2009, the Governor, Himachal Pradesh is pleased to include the following new categories of consumers in Sub-Section-1 of Section 3-B of the Himachal Pradesh Electricity (Duty) Act, 2009, in the public interest with immediate effect:—

Sl. No.	Category of Consumers	Rate of Cess
1.	Business Houses	Rs. 1.00 per unit
2.	Private Offices	Rs. 1.00 per unit
3.	Private Hospitals	Rs. 1.00 per unit
4.	Petrol Pumps	Rs. 1.00 per unit
5.	Hotels/Motels	Rs. 1.00 per unit
6.	Private Nursing Homes	Rs. 1.00 per unit
7.	Private Research Institutions	Rs. 1.00 per unit
8.	Private Coaching Institutions	Rs. 1.00 per unit
9.	Shopping Malls	Rs. 1.00 per unit
10.	Multiplexes	Rs. 1.00 per unit

Further, the Governor, Himachal Pradesh is pleased to order that the HPSEBL will collect cess from these consumers at the aforementioned rate.

By order,

RAKESH KANWAR,
Secretary (MPP & Power).

HOME DEPARTMENT

ORDER

Shimla-2, the 25th February, 2026

No. HOME-C (A) 3-2/2026.—Whereas, Section 302 of Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred as 'Suraksha Sanhita') empowers a Criminal Court to make an order requiring the officer in charge of the prison to produce a person before the Court for answering to a charge or for the purpose of a proceeding or for giving evidence in the course of an inquiry, trial or proceeding under the Suraksha Sanhita.

And whereas, sub-section (1) of Section 303 of the Suraksha Sanhita empowers the State Government to direct by a general or special order, that any person or class of persons shall not be removed from the prison in which he or they may be confined or detained, and no order under Section 302, whether before or after the order of the State Government, shall have effect in respect of such person or class of persons.

And whereas, before making an order under sub-section (2) of Section 303 of the Suraksha Sanhita, the State Government, shall have regard to the following matters, namely:—

(a) the nature of the offence for which, or the grounds on which, the person or class of persons has been ordered to be confined or detained in prison;

(b) the likelihood of the disturbance of public order if the person or class of persons is allowed to be removed from the prison;

(c) the public interest, generally.

And whereas, in recent past, incidents have been reported in the State of Himachal Pradesh in which the prisoners have attempted to escape from police custody with the help of their accomplices by attacking the police personnel during their transportation from prison to the Court and *vice versa*. In some cases, they themselves were attacked by the rival gangs during their journey. It has been observed that in almost all such cases fire arms were used by criminals at public places, including court complexes, in full public view, thereby invoking fear in the mind of common citizens and causing disturbance to public order. It has also been observed that prisoners involved in such violent incidents are mainly accused of heinous offences such as organized crimes, terrorist acts, murder, attempt to murder, robbery, dacoity, offences against the State among others.

And whereas, in view of the above facts, the Governor of Himachal Pradesh is satisfied that a certain class of persons, confined or detained in a prison in the State should not be removed from the prison in which they are confined or detained. Their presence shall be ensured through Himachal Pradesh Video Conferencing Rules, 2025 issued *vide* Notification HHC/Rules/VC/Distt. Jud/2025 dated 18-08-2025 *i.e.,* those highly prone to escapes/previous escapess/ attack on police and other dangerous offenders/including those prone to self harm/posing threat to public order.

And now, therefore, in view of the reasons recorded above and in exercise of powers conferred under sub-section (1) of section 303 of the Suraksha Sanhita, the Governor of Himachal Pradesh is pleased to order that the persons accused of the following offences shall not be removed from the prison in which they are confined or detained and no order made under section 302, whether before or after this order, shall have effect in respect of these persons:—

(i) Unlawful Activities (Prevention) Act, 1967 (UAPA) and National Security Act, 1980 (NSA).

(ii) Organised crimes (Section 111, BNS) or terrorist acts (section 113, BNS)

(iii) Serial killer and accused involved in two or more cases of murder (/103 BNS) or attempt to murder (Section 307 IPC/109 BNS).

(iv) Repeated offender or cases of commercial quantity under NDPS Act, 1985

(v) A case of gangsters, hired assassins, violent robbers, cases of robbery/dacoity/extortion (Sections 308/309/310/311/ 312/313 BNS or Sections corresponding IPC sections) along with the provision 25(6)/25(7)/25(8), 27(2)/27(3) Arms Act, 1959.

(vi) Chapter VII of Bharatiya Nyaya Sanhita 2023 (Offences against the State) and Offence under (Section 160 BNS or corresponding IPC Sections).

(vii) Offences under Section 4(2),6 POCSO Act and Sections 65(1), 65(2), 66 and 70 of BNS, 2023.

Any accused person falling in above categories shall invariably be produced before the Court by the concerned Superintendent of Prison through video conferencing.

By order,
Sd/-
(KAMLESH KUMAR PANT, IAS),
Addl. Chief Secretary (Home).

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 5th May, 2026

No. HHC/GAZ/14-420/2022.—Hon'ble the Chief Justice has been pleased to grant *ex-post facto* sanction of 06 days commuted leave *w.e.f.* 04-04-2026 to 09-04-2026 in favour of Ms. Sonia Gupta, the then Civil Judge *cum*-JMFC, Bilaspur presently posted as Mobile Traffic Magistrate, Bilaspur and Hamirpur at Bilaspur, H.P.

Certified that Ms. Sonia Gupta had joined the same post and at the same station from where she had proceeded on leave, after expiry of the above period of leave.

Also certified that Ms. Sonia Gupta would have continued to hold the post of Civil Judge-*cum*-JMFC, Bilaspur, H.P., but for her proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 8th May, 2026

No. HHC/GAZ/14-301/08-I.—Hon'ble the Chief Justice has been pleased to grant *ex-post facto* sanction of 19 days' earned leave *w.e.f.* 21-03-2026 to 08-04-2026 in favour of Sh. Nitin Mittal, Additional District & Sessions Judge (II), Nurpur, H.P.

Certified that Sh. Nitin Mittal had joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Sh. Nitin Mittal would have continued to hold the post of Additional District & Sessions Judge (II), Nurpur, but for his proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, सुजानपुर, जिला हमीरपुर (हि0प्र0)

मिसल नम्बर	किस्म मुकद्दमा	तारीख दायर	तारीख पेशी
24 / NT/2026	जन्मतिथि पंजीकरण	30–04–2026	20–05–2026

श्रीमती रेनू बाला पुत्री श्री अच्छर सिंह, वासी मोहाल टिहरा, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0)।

.. वादी।

बनाम

आम जनता .. प्रतिवादी।

जन्म तिथि पंजीकरण श्रीमती रेनू बाला पुत्री श्री अच्छर सिंह, वासी मोहाल टिहरा, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0)।

प्रार्थना–पत्र बराये जन्मतिथि पंजीकरण प्रार्थिया श्रीमती रेनु बाला पुत्री श्री अच्छर सिंह, वासी मोहाल टिहरा, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0) ने इस अदालत में दायर किया है कि उनका जन्म दिनांक 16–08–1974 को ग्राम पंचायत टिहरा में हुआ था तथा सहवन गलती से ग्राम पंचायत टिहरा में दर्ज नही हो पाया है। लिहाजा इसे ग्राम पंचायत टिहरा में दर्ज करने के लिए आदेश पारित किए जाऐ।

अतः प्रतिवादी आम जनता तथा सम्बन्धित रिश्तेदारों को इश्तहार द्वारा सूचित किया जाता है कि यदि किसी को उपरोक्त जन्मतिथि पंजीकरण बारे कोई उजर व एतराज हो तो वह दिनांक तारीख पेशी 20–05–2026 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन अपना एतराज अधोहस्ताक्षरी के समक्ष उपस्थित होकर पेश कर सकता है। अन्यथा उपरोक्त जन्म तिथि को दर्ज करने के आदेश दिये जायेंगे। उसके उपरान्त कोई एतराज न सुना जाएगा।

आज दिनांक 30–04–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर। हस्ताक्षरित / –
सहायक समाहर्ता द्वितीय श्रेणी,
सुजानपुर, जिला हमीरपुर (हि0प्र0)।

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ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, सुजानपुर, जिला हमीरपुर (हि0प्र0)

मिसल नम्बर	किस्म मुकद्दमा	तारीख दायर	तारीख पेशी
806493/2026	नाम दुरुस्ती	18–04–2026	20–05–2026

श्रीमती निशा कुमारी विधवा उदयवीर सिंह, वासी गांव सौड, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0)।

.. वादिया।

बनाम

आम जनता .. प्रतिवादी।

प्रार्थना–पत्र नाम दुरुस्ती under section 37 (1) 1954 श्रीमती निशा कुमारी विधवा उदयवीर सिंह, वासी गांव सौड, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0)।

प्रार्थना–पत्र नाम दुरुस्ती प्रार्थिया श्रीमती निशा विध्वा उदयवीर सिंह, वासी गांव सौड, तहसील सुजानपुर, जिला हमीरपुर (हि0प्र0) ने इस अदालत में प्रार्थना–पत्र दायर किया है कि उसका नाम मोहाल सौड के राजस्व अभिलेख में निशा कुमारी विध्वा उदयवीर सिंह दर्ज है जबकि उसका सही नाम निशा देवी विधवा उदयवीर सिंह है। लिहाजा इसे दुरुस्त करके निशा देवी विधवा उदयवीर सिंह किया जाए।

अतः इस नोटिस के माध्यम से आम जनता तथा सम्बन्धित रिश्तेदारों को सूचत किया जाता है कि अगर किसी को उपरोक्त नाम दुरुस्ती बारे कोई उजर व एतराज हो तो वह दिनांक तारीख पेशी 20–05–2026 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन अपना एतराज अधोहस्ताक्षरी के समक्ष उपस्थित होकर पेश कर सकता है, अन्यथा प्रार्थी का नाम मोहाल सौड में दुरुस्त करने के आदेश दिये जायेंगे। उसके उपरान्त कोई एतराज न सुना जाएगा।

आज दिनांक 05–05–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित / –
सहायक समाहर्ता द्वितीय श्रेणी,
सुजानपुर, जिला हमीरपुर (हि0प्र0)।

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In the Court of Executive Magistrate (Naib-Tehsildar), Bhoranj,
District Hamirpur (H.P.)

In the matter of :

Smt. Nirmla Devi d/o Sh. Soonka Ram, r/o Village Ghumarwin, P.O. Lag Manwin, Tehsil Bhoranj, District Hamirpur (H.P.) .. *Applicant.*

Versus

General Public . .*Respondent.*

Application u/s 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth and Death Registration Rules, 2003. Whereas, Smt. Nirmla Devi d/o Sh. Soonka Ram, r/o Village Ghumarwin, P.O. Lag Manwin, Tehsil Bhoranj, District Hamirpur (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavits and other relevant documents for entering of her date of birth *i.e.* 08-05-1965 could not be registered in the record of Gram Panchayat Manwin.

Now, therefore by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth Smt. Nirmla Devi d/o Sh. Soonka Ram, may submit their objections in writing or appear in person in this court on or before 16-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Seal.

Sd/-
Executive Magistrate (Naib-Tehsildar),
Bhoranj, District Hamirpur (H.P.).

In the Court of Sh. Vikas Shukla, HAS, Marriage Officer-cum-Sub-Divisional Magistrate, Sujanpur, Distt. Hamirpur (H. P.)

In the matter of :

1. Ashwani Kumar aged 39 years s/o Sh. Nathu Ram, r/o Village Darla, P.O. Bhaleth, Tehsil Sujanpur, District Hamirpur (H.P.).

2. Neha aged 24 years d/o Sh. Taiya, r/o House No. 2211, Street No. 5, Bata Gaja Jain Colony, Focal Point, P.O. Focal Point, District Ludhiana Punjab . . *Applicants.*

Versus

General Public . . *Respondent.*

Application for the registration of marriage under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by Marriage Laws (Amendment Act 01, 49 of 2001)

Ashwani Kumar aged 39 years s/o Sh. Nathu Ram, r/o Village Darla, P.O. Bhaleth, Tehsil Sujanpur, District Hamirpur (H.P.) and Neha aged 24 years d/o Sh. Taiya, r/o House No. 2211, Street No. 5, Bata Gaja Jain Colony, Focal Point, P.O. Focal Point, District Ludhiana Punjab and have filed an application alongwith affidavits in this court under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by Marriage Laws (Amendment Act 01, 49 of 2001) that they have solemnized their marriage ceremony on 18-05-2022 at Baba Gaja Jain Colony Ludhiana Punjab as per Hindu Rights and Customs and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 20-05-2026. After that no objections will not be entertained and marriage will be registered accordingly.

Issued today on 21-04-2026 under my hand and seal of the court.

Seal. Sd/-
(SH. VIKAS SHUKLA, HAS),
Marriage Officer-cum-Sub-Divisional Magistrate,
Sujanpur, District Hamirpur (H.P.).

In the Court of Sh. Vikas Shukla, HAS, Marriage Officer-cum-Sub-Divisional Magistrate, Sujanpur, Distt. Hamirpur (H. P.)

In the matter of :

1. Himanshu Kumar aged 29 years s/o Sh. Krishan Kumar, r/o Brahampuri Mohall, Ward No. 7, Sujanpur, District Hamirpur (H.P.).

2. Anchal aged 23 years d/o Sh. Som Nath, r/o House No. 349, Near Indian Bank Khudda Kalan, P.O. Khudda Kalan, District Ambala (Haryana) . . *Applicants*.

Versus

General Public . . *Respondent*.

Application for the registration of marriage under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by Marriage Laws (Amendment Act 01, 49 of 2001)

Himanshu Kumar aged 29 years s/o Sh. Krishan Kumar, r/o Brahampuri Mohall, Ward No. 7, Sujanpur, District Hamirpur (H.P.) and Anchal aged 23 years d/o Sh. Som Nath, r/o House No. 349, Near Indian Bank Khudda Kalan, P.O. Khudda Kalan, District Ambala (Haryana) and have filed an application along with affidavits in the court under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by Marriage Laws (amendment Act 01, 49 of 2001) that they have solemnized their marriage ceremony on 15-04-2026 at Shree Sita Ram Mandir Bijapur, Tehsil Jaisinghpur, District Kangra (H.P.) as per Hindu Rights and Customs and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objections regarding this marriage can file the objections personally or in writing before this court on or before 04-06-2026. After that no objections will not be entertained and marriage will be registered accordingly.

Issued today on 21-04-2026 under my hand and seal of the court.

Seal. Sd/-
(SH. VIKAS SHUKLA, HAS),
Marriage Officer-cum-*Sub-Divisional Magistrate,*
Sujanpur, District Hamirpur (H.P.).

In the Court of Sub Divisional Magistrate Excercising The Power of Marriage Officer Nadaun, Distt. Hamirpur (H. P.)

In the matter of :

1. Navneet Thakur s/o Sh. Rattan Chand, r/o Vill. Tillu 1, P.O. Bela, Tehsil Nadaun, District Hamirpur (H.P.).

2. Renu Thakur d/o Sh. Banwari Lal, r/o Vill. House No. 147, Ward No. Boarding Colony Hamirpur, Distt. Hamirpur (H.P.)

Versus

General Public

Subject:—Notice for Registration of Marriage Under Special Marriage Act 1954.

The above applicants have filed an application u/s 16 of special Marriage Act 1954 along with affidavits and supporting documents in the court of undersigned in which they have stated that they have solemnized their marriage on 11-11-1999 at Village House No. 147 Ward No. boarding Colony Hamirpur Distt. Hamirpur (H.P.) and they are living as husband and wife since then, hence their marriage may be registered.

Therefore, the general public is hereby informed through this notice that any person who have objection regarding this marriage can file the objection personally or in writing before this office on or before 16-05-2026 at 11.00 A.M. The objection(s) After 16-05-2026 of 11-00 A.M. will not be entertained by this office and marriage will be registered as per the law prescribed.

Issued today on 10-03-2026 under my hand and seal of this office.

Seal. Sd/-
Sub-Divisional Magistrate-cum-Marriage Officer,
Nadaun, District Hamirpur (H.P.).

In the Court of Executive Magistrate (Naib Tehsildar),Bhoranj,
District Hamirpur (H.P.)

In the matter of :

Sh. Avneesh Kumar s/o Sh. Desh Raj, Village Ukhalsuha, P.O. Dhamrol, Tehsil Bhoranj, District Hamirpur (H.P.). .. *Applicant.*

Versus

General Public . .*Respondent.*

Application u/s 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth and Death Registration Rules, 2003. Whereas, Sh. Avneesh Kumar s/o Sh. Desh Raj, Village Ukhalsuha, P.O. Dhamrol, Tehsil Bhoranj, District Hamirpur (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavits and other relevant documents for entering of her date of birth 31-10-1996 could not be registered in the record of Gram Panchayat Dhamrol.

Now, therefore by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth Sh. Avneesh Kumar s/o Sh. Desh Raj, of may submit their objections in writing or appear in person in this court on or before 16-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Seal. Sd/-
Executive Magistrate,
Bhoranj, District Hamirpur (H.P.).

In the Court of Executive Magistrate (Naib Tehsildar) Bhoranj,
District Hamirpur (H.P.)

In the matter of :

Sh. Bihari Lal s/o Sh. Roffi Ram, Village Gadola, P.O. Badhani, Tehsil Bhoranj, District Hamirpur (H.P.) .. *Applicant.*

Versus

General Public . .*Respondent.*

Application u/s 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth and Death Registration Rules, 2003. Whereas, Sh. Bihari Lal s/o Sh. Roffi Ram, Village Gadola, P.O. Badhani, Tehsil Bhoranj, District Hamirpur (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavits and other relevant documents for entering of her date of birth 06-03-1976 could not be registered in the record of Gram Panchayat Badhani.

Now, therefore by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth Sh. Bihari Lal s/o Sh. Roffi Ram, of may submit their objections in writing or appear in person in this court on or before 16-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Seal. Sd/-

Executive Magistrate,
Bhoranj, District Hamirpur (H.P.).

ब अदालत तहसीलदार नादौन एवं सहायक समाहर्ता प्रथम श्रेणी, नादौन, तहसील नादौन,
जिला हमीरपुर (हि0प्र0)

अगामी सुनवाई :– 16–05–2026

श्री विपन कुमार पुत्र स्व0 श्री प्रमोद सिंह, गांव निवासी महाल हथोल, खास मौजा हथोल, तहसील नादौन, जिला हमीरपुर (हि0प्र0)।

बनाम

आम जनता

विषय.––प्रार्थना–पत्र बराए नाम दुरुस्ती बारे।

श्री विपन कुमार पुत्र स्व0 श्री प्रमोद सिंह, गांव निवासी महाल हथोल, खास मौजा हथोल, तहसील नादौन, जिला हमीरपुर (हि0प्र0) ने दिनांक 24–02–2026 को इस अदालत में एक प्रार्थना–पत्र प्रस्तुत किया है कि उसके पिता का नाम कागजात माल टीका हथोल खास मौजा हथोल, तहसील नादौन, जिला हमीरपुर में प्रमोधू दर्ज है परन्तु अन्य जगह उसके पिता का नाम प्रमोध सिंह दर्ज है प्रार्थी का कहना है कि यह दोनों नाम उसी के पिता के है प्रार्थी अब दुरुस्ती करवाकर कागजात महाल हथोल, खास मौजा हथोल, तहसील नादौन, जिला हमीरपुर में अपने पिता का नाम प्रमोध सिंह करवाना चाहता है।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थी के नाम को दुरुस्त करने बारे कोई उजर / एतराज हो तो वह असालतन या वकालतन तारीख पेशी

16–05–2026 को दोपहर 2.00 बजे मुकाम नादौन हाजिर अदालत होकर अपना उजर पेश कर सकता है। तारीख पेशी के बाद किसी किस्म का एतराज काबले समायत न होगा तथा प्रार्थी के प्रार्थना–पत्र पर नाम दुरुस्ती बारे आवश्यक आदेश पारित कर दिये जायेंगे।

यह इश्तहार मोहर अदालत व मेरे हस्ताक्षर से आज दिनांक 17–04–2026 को जारी हुआ।

मोहर। हस्ताक्षरित / –
सहायक समाहर्ता प्रथम श्रेणी,
तहसील नादौन, जिला हमीरपुर (हि0प्र0)।

————————

In the Court of Sh. Vikas Shukla, HAS, Marriage Officer-cum-Sub-Divisional Magistrate, Sujanpur, Distt. Hamirpur (H. P.)

In the matter of :

1. Sahil Dogra aged 29 years s/o Sh.vijay Dogra, r/o Brahampuri Mohala, Ward No. 7, Sujanpur, District Hamirpur (H.P.).

2. Shilpa Shamma aged 29 years d/o Sh. Sunil Kumar, r/o Dandesar, P.O. Atiala Dai, Tehsil Palampur, District Kangra (H.P.) . . *Applicants*.

Versus

General Public . . *Respondent*.

Application for the registration of marriage under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by Marriage Laws (Amendment Act 01, 49 of 2001)

Sahil Dogra aged 29 years s/o Sh.Vijay Dogra, r/o Brahampuri Mohalla, Ward No. 7, Sujanpur, District Hamirpur (H.P.) and Shilpa Sharmma aged 29 years d/o Sh. Sunil Kumar, r/o Dandesar, P.O. Atiala Dai, Tehsil Palampur, District Kangra (H.P.) and have filed an application alongwith affidavits in the court under Section 16 of Special Marriage Act, 1954 (Centeral Act) as amended by the Marriage Laws (amendment Act 01, 49 of 2001) that they have solemnized their marriage ceremony on 12-10-2024 at Dandesar, P.O. Atiala Dai, Tehsil Palampur, District Kangra (H.P.) as per Hindu Rights and Customs and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who have any objection regarding this marriage can file the objection personally or in writing before this court on or before 21-05-2026. After that no objections will not be entertained and marriage will be registered accordingly.

Issued today on 21-04-2026 under my hand and seal of the court.

Seal. Sd/-
(SH. VIKAS SHUKLA, HAS),
Marriage Officer-cum-Sub-Divisional Magistrate,
Sujanpur, District Hamirpur (H.P.).

In the Court of Executive Magistrate (Naib Tehsildar) Bhoranj,
District Hamirpur (H.P.)

In the matter of :

Smt. Sunita Kumari d/o Sh. Amin Chand, Village Ruthwani, P.O. Town Bharari, District Hamirpur (H.P.) .. *Applicant.*

Versus

General Public . .*Respondent.*

Application u/s 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth and Death Registration Rules, 2003. Whereas, Smt. Sunita Kumari d/o Sh. Amin Chand, Village Ruthwani, P.O. Town Bharari, Tehsil Bhoranj District Hamirpur (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavits and other relevant documents for entering of her date of birth 04-10-1972 could not be registered in the record of Gram Panchayat Nandhan.

Now, therefore by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth Smt. Sunita d/o Sh. Amin Chand, of may submit their objections in writing or appear in person in this court on or before 16-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Seal. Sd/-
Executive Magistrate,
Bhoranj, District Hamirpur (H.P.).

In the Court of Executive Magistrate (Naib Tehsildar) Bhoranj,
District Hamirpur (H.P.)

In the matter of :

Vicky s/o Sh. Jasso Ram, V.P.O. Badhani, Tehsil Bhoranj, District Hamirpur (H.P.).
.. *Applicant.*

Versus

General Public . .*Respondent.*

Application u/s 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth and Death Registration Rules, 2003. Whereas, Vicky s/o Sh. Jasso Ram, V.P.O. Badhani, Tehsil Bhoranj, District Hamirpur (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavits and other relevant documents for entering of his date of birth 17-04-1997 could not be registered in the record of Gram Panchayat Badhani.

Now, therefore by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth Vicky s/o Sh. Jasso Ram, of

may submit their objections in writing or appear in person in this court on or before 16-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Seal. Sd/-

Executive Magistrate,
Bhoranj, District Hamirpur (H.P.).

In the Court of Naib Tehsildar-cum-**Executive Magistrate, Dhatwal at Bijhari, Distt. Hamirpur (H.P.)**

In the matter of :

Pushpa Devi

Versus

General Public

Notice to General Public.

Pushpa Devi d/o Udham Singh, r/o Village Kohla, Tehsil Dhatwal at Bijhari, Distt. Hamirpur (H.P.) has applied in this office for the entry of her date of birth which took place on 12-04-1966 but due to ignorance if could not be entered in the record of Gram Panchayat Sakroh. In this regard, the applicant pushpa Devi submitted the requisite documents mentioning her date of birth as 12-04-1966.

General public is hereby informed through this notice that if anyone has any objection regarding the entry of date of birth of the applicant *i.e.* 12-04-1966, they can either in person or through counsel can file their objections before the undersigned within 30 days from the date of publication of this notice, otherwise the matter shall be proceeded further accordingly.

Issued under my hand and seal of the court on 23-04-2026.

Seal. Sd/-

Executive Magistrate,
Dhatwal at Bijhari, District Hamirpur (H.P.).

In the Court of Naib Tehsildar-cum-**Executive Magistrate, Dhatwal at Bijhari, Distt. Hamirpur (H.P.)**

In the matter of :

Gain Chand

Versus

General Public

Notice to General Public.

Gain Chand s/o Prabhu Ram, r/o Village Jajri, Tehsil Dhatwal at Bijhari, Distt. Hamirpur (H.P.) has applied in this office for the entry of his date of birth which took place on 01-01-1964 but due to ignorance the same could not be entered in the record of Gram Panchayat Jajri. In this regard, the applicant Gian Chand submitted the requisite documents mentioning her date of birth as 01-01-1964.

General public is hereby informed through this notice that if anyone has any objection regarding the entry of date of birth of the applicant *i.e.* 01-01-1964, they can either in person or through counsel can file their objections before the undersigned within 30 days from the date of publication of this notice, otherwise the matter shall be proceeded further accordingly.

Issued under my hand and seal of the court on 25-04-2026.

Seal. Sd/-

Executive Magistrate,
Dhatwal at Bijhari, District Hamirpur (H.P.).

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा (हि0प्र0)

मुकद्दमा नं0 : जन्म पंजीकरण

Mr./Mrs./Ms. Amrita Gurung w/o Sh. Damar Bahadur, r/o Village Tika Chated, P.O. Yol, Tehsil Dharamshala, District Kangra (H.P.). . . *Applicant.*

Vs

1. The General Public .
2. The Registrar Birth & Death, C.M.O. Kangra at Dharamshala
3. The Registrar, (Birth & Death)-*cum*-Panchayat Secretery, Concerned G.P.
4. The Commissioner Municipal Corporation Dharamshala

. . *Respondents.*

विषय.––प्रार्थना–पत्र जेरे धारा 13(3) हिमाचल प्रदेश जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

Mr./Mrs./Ms. Amrita Gurung w/o Sh. Damar Bahadur, r/o Village Tika Chated, P.O. Yol, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना–पत्र सहित मुकद्दमा दायर किया है कि उसकी बेटी Adriti d/o Amrita Gurung का जन्म दिनाक 10–04–2020 को गांव टीका चतेहड़, तहसील धर्मशाला में हुआ है। परन्तु एम0 सी0 धर्मशाला / सम्बंधित ग्राम पंचायत में जन्म / मृत्यु रजिस्टर में पंजीकृत न है। अतः जन्म / मृत्यु तिथि पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस इश्तहार राजपत्र के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को Adriti d/o Amrita Gurung की जन्म तिथि पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 28–05–2026 को असालतन या वकालतन हाजिर होकर अपना एतराज पेश कर सकता है। अन्यथा मुताबिक शपथ–पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 24–04–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित / –

कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

In the Court of Assistant Collector 1st Grade and Executive Magistrate, Dharamshala, District Kangra (H.P.)

मुकद्दमा नं0 : जन्म पंजीकरण

Mr./Mrs./Ms. Santosh Kumari d/o Late Sh. Jamita Ram, r/o Village & P.O. Naganpatt, Tehsil Dharamshala, District Kangra (H.P.) at present r/o Village Dhugiari and Post Office Gaggal, Tehsil Dharamshala, District Kangra (H.P.). . . *Applicant.*

Vs

1. The General Public .
2. The Registrar Birth & Death, C.M.O. Kangra at Dharamshala
3. The Registrar, (Birth & Death)-*cum*-Panchayat Secretery, Concerned G.P.
4. The Commissioner Municipal Corporation Dharamshala

. . *Respondents.*

विषय.––प्रार्थना–पत्र जेरे धारा 13(3) हिमाचल प्रदेश जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

Mr./Mrs./Ms. Santosh Kumari d/o Late Sh. Jamita Ram, r/o Village & P.O. Naganpatt, Tehsil Dharamshala, District Kangra (H.P.) at present r/o Village Dhugiari and Post Office Gaggal, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना–पत्र सहित मुकद्दमा दायर किया है कि उसका जन्म दिनाक 12–07–1970 को गांव नागनपट्ट, डा0 नागनपट्ट, तहसील धर्मशाला में हुआ है। परन्तु एम0 सी0 धर्मशाला / सम्बंधित ग्राम पंचायत में जन्म / मृत्यु रजिस्टर में पंजीकृत न है। अतः जन्म तिथि पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस इश्तहार राजपत्र के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को Santosh Kumari d/o Late Sh. Jamita Ram की जन्म तिथि 12–07–1970 पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 22–05–2026 को असालतन या वकालतन हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ–पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 20–04–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

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In the Court of Assistant Collector 1st Grade and Executive Magistrate, Dharamshala, District Kangra (H.P.)

मुकद्दमा नं0 : जन्म पंजीकरण

Mr./Mrs./Ms. Kanta Devi d/o Late Sh. Mehar Singh, r/o Village & P.O. Sakoh, Tehsil Dharamshala, District Kangra (H.P.). . . *Applicant.*

Vs

1. The General Public .
2. The Registrar Birth & Death, C.M.O. Kangra at Dharamshala
3. The Registrar, (Birth & Death)-*cum*-Panchayat Secretery, Concerned G.P.

4. The Commissioner Municipal Corporation Dharamshala

. . *Respondents.*

विषय.––प्रार्थना–पत्र जेरे धारा 13(3) हिमाचल प्रदेश जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

Mr./Mrs./Ms. Kanta Devi d/o Late Sh. Mehar Singh, r/o Village & P.O. Sakoh, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना–पत्र सहित मुकद्दमा दायर किया है कि उसका जन्म दिनाक 02–01–1961 को गांव सकोह, डा0 सकोह, तहसील धर्मशाला में हुआ है। परन्तु एम0 सी0 धर्मशाला / सम्बंधित ग्राम पंचायत में जन्म / मृत्यु रजिस्टर में पंजीकृत न है। अतः जन्म तिथि पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस इश्तहार राजपत्र के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को Kanta Devi d/o Late Sh. Mehar Singh की जन्म तिथि 02–01–1961 पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 20–05–2026 को असालतन या वकालतन हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ–पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 20–04–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

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In the Court of Assistant Collector 1st Grade, Tehsil Dharamshala, District Kangra (H.P.)

Case No.	Date of Institution :	Case Type :	Peshi Date:
712679/2026	09-02-2026	Correction of name	11-05-2026

Sh. Preetam Chand s/o Sh. Padu Ram, r/o Village Lanjhani, P.O. Gharoh, Teshil Dharamshala, District Kangra (H.P.) . . *Applicant.*

Versus

The General Public . . *Respondent.*

प्रार्थना–पत्रः नाम दुरुस्ती under Section 37 of H.P. Land Revenue Act, 1954, Sh. Preetam Chand s/o Sh. Padu Ram, r/o Village Lanjhani, P.O. Gharoh, Teshil Dharamshala, District Kangra (H.P.).

Sh. Preetam Chand s/o Sh. Padu Ram, r/o Village Lanjhani, P.O. Gharoh, Teshil Dharamshala, District Kangra (H.P.) ने इस अदालत में प्रार्थना–पत्र दायर किया है कि उसका नाम Sh. Preetam Singh s/o Sh. Padu Ram, r/o Village Lanjhani, Patwar Vrit Sudher, Teshil Dharamshala के राजस्व अभिलेख में दर्ज है जबकि उसका सही नाम Sh. Preetam Chand s/o Sh. Padu Ram है। लिहजा इसे दुरुस्त करके Sh. Preetam Chand s/o Sh. Padu Ram किया जाए।

अतः इस नोटिस के माध्यम से आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर किसी को उपरोक्त नाम दुरुस्ती बारे कोई उजर व एतराज हो तो वह तारीख पेशी 20–05–2026 को दोपहर 3.00 बजे इस न्यायालय में असालतन व वकालतन अपना एतराज अधोहस्ताक्षरी के समक्ष उपस्थित होकर पेश कर सकता है। अन्यथा प्रार्थी का नाम मोहाल Lanjhani में दुरुस्त करने के आदेश पारित कर दिये जाएंगे। उसके उपरान्त कोई एतराज न सुना जाएगा।

आज दिनांक 20–04–2026 को मेरे हस्ताक्षर व मोहर द्वारा जारी हुआ।

मोहर हस्ताक्षरित / –
सहायाक समाहर्ता, प्रथम श्रेणी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

ब अदालत सहायक समाहर्ता प्रथम श्रेणी एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा (हि0प्र0)

किस्म मुकद्दमा : तकसीम केस नं0 : तारीख पेशी : 22–05–2026

शान्ती देवी

बनाम

चमन लाल आदि।

भूमि खाता नं0 7, खतौनी नं0 11 ता 13, खसरा कित्ता–6, कुल रक्बा 00–25–86 है0, वाक्या महाल गबली दाड़, पटवार वृत्त दाड़ी, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0। जमाबन्दी वर्ष 2018–2019.

नोटिस बनामः–

1. चमन लाल, 2. त्रिलोक चन्द, 3. पवन कुमार पुत्र व, 4. नाहतो देवी पत्नी स्व0 रोशन लाल, 5. प्रवीण कुमार पुत्र व, 6. सन्तोष कुमारी, 7. सपना देवी पुत्रियां व, 8. कंचना देवी पत्नी स्व0 ओम, 9. भानो राम पुत्र व, 10. अम्बो देवी, 11 सुरेखा देवी व, 12. पानो देवी पुत्रियां राणू, 13. रिन्टू कुमार, 14. लख राज पुत्र व, 15. वर्षा देवी पुत्री व, 16. आशा देवी पत्नी स्व0 प्रताप चन्द, 17. गौतम, 18. गौरव पुत्र व, 19. काजल पुत्री व, 20. माया देवी पत्नी स्व0 भगवान सिंह, 21. उधम सिंह, 22. ग्यान चन्द पुत्र व, 23. इच्छया देवी पुत्री व, 24. पुन्या देवी, 25. ब्रहमी देवी पत्नी स्व0 रोशन, 26. सुमना, 27. सुनिता पुत्रियां कानकू, 28. बिमला पत्नी श्रीराम, 29. सतीष कुमार, 30. चरण दार पुत्र रुमति, 31. नीरज कुमार पुत्र सुनिता देवी, 32. आशा देवी पुत्री रुमती, 33. रविन्द्र कुमार पुत्र व, 34. नीलम देवी पुत्री बिडको, 35. चौकस, 36. उधो उपनाम टीटा राम पुत्र प्राकर्मी ।

उपरोक्त मुकद्दमा इस न्यायालय में विचाराधीन है। इसमें प्रतिविदीगण को कई बार समन जारी किए गए, परन्तु साधारण तरीके से समन तामील न हुए है। इसलिए उपरोक्त प्रतिवादीगण को इस इश्तहार अखबार, राजपत्र व चस्पानगी के द्वारा सूचित किया जाता है कि यदि किसी भी पक्ष को उपरोक्त वर्णित भूमि कि तकसीम करने बारे कोई भी उजर एतराज हो तो वह दिनांक पेशी 22–05–2026 को अधोहस्ताक्षरी की अदालत में असलतान या बकालतान हाजिर होकर अपने उजर / एतराज पेश कर सकता है, अन्यथा हाजिर न आने कि सूरत में उपरोक्त प्रतिवादिगण के विरुद्ध एकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 23–04–2026 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर

हस्ताक्षरित / –
सहायाक समाहर्ता, प्रथम श्रेणी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

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ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार, धर्मशाला, जिला कांगड़ा (हि0प्र0)

किस्म मुकद्दमा : नाम दुरुस्ती तारीख पेशी : 28–05–2026

श्री / श्रीमती प्रीतम चंद पुत्र स्व0 श्री रूमी राम, गांव व डा0 सिद्धवाड़ी, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0। ..प्रार्थी।

बनाम

आम जनता ..प्रतिवादी।

प्रार्थी श्री / श्रीमती प्रीतम चंद पुत्र स्व0 श्री रूमी राम, गांव व डा0 सिद्धवाड़ी, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0 ने अपने नाम को राजस्व रिकार्ड में दुरुस्त करने बारे प्रार्थना–पत्र गुजारा है। प्रार्थी के मुताबिक उसका नाम प्रीतम चंद पुत्र रूमी राम है परन्तु राजस्व रिकॉर्ड में प्रीत पुत्र रूमी राम दर्ज है जोकि गलत है। इस आशय की पुष्टि के लिए प्रार्थी ने पर्चा जमाबंदी व अन्य दस्तावेज संलग्न किये हैं।

अतः इस इश्तहार के माध्यम से सर्वसाधारण जनता व संबंधित हितधारकों को सूचित किया जाता है कि यदि किसी को प्रार्थी के नाम को दुरुस्त करने बारे एतराज हो तो वह असालतन या वकालतन तिथि 28–05–2026 को प्रातः 11.00 बजे अधोहस्ताक्षरी की अदालत में हाजिर होवे। हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी। उसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 22–04–2026 को हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित / –
सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार,
तहसील धर्मशाला, जिला कांगड़ा (हि0प्र0)।

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**ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार, धर्मशाला,
जिला कांगड़ा (हि0प्र0)**

किस्म मुकद्दमा : जाति दुरुस्ती तारीख पेशी : 28–05–2026

श्री / श्रीमती केशव राज पुत्र स्व0 श्री लखी राम, गांव व डा0 सिद्धपुर, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0। ..प्रार्थी।

बनाम

आम जनता ..प्रतिवादी।

प्रार्थी श्री / श्रीमती केशव राज पुत्र स्व0 श्री लखी राम, गांव व डा0 सिद्धपुर, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0 ने अपनी जाति को दुरुस्त करने बारे प्रार्थना–पत्र गुजारा है। प्रार्थी के मुताबिक उसकी जाति गद्दी आर्य है परन्तु राजस्व रिकॉर्ड महाल सिद्धपुर, तहसील धर्मशाला में हाली उपजाति अन्य दर्ज है जोकि गलत है। इस आशय की पुष्टि के लिए प्रार्थी ने पर्चा जमाबंदी व अन्य दस्तावेज संलग्न किये हैं।

अतः इस इश्तहार के माध्यम से सर्वसाधारण जनता व संबंधित हितधारकों को सूचित किया जाता है कि यदि किसी को प्रार्थी की जाति को दुरुस्त करने बारे एतराज हो तो वह असालतन या वकालतन तिथि 28–05–2026 को प्रातः 11.00 बजे अधोहस्ताक्षरी की अदालत में हाजिर होवे। हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी। उसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 22–04–2026 को हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित / –
सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार,
तहसील धर्मशाला, जिला कांगड़ा (हि0प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार, धर्मशाला, जिला कांगड़ा (हि0प्र0)

किस्म मुकद्दमा : नाम दुरुस्ती तारीख पेशी : 28–05–2026

श्री / श्रीमती प्यार चंद पुत्र श्री मुंशी राम, गांव जुहल, डा0 कंड करडियाना, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0। ..प्रार्थी।

बनाम

आम जनता ..प्रतिवादी।

प्रार्थी श्री / श्रीमती प्यार चंद पुत्र श्री मुंशी राम, गांव जुहल, डा0 कंड करडियाना, तहसील धर्मशाला, जिला कांगड़ा, हि0प्र0 ने अपने नाम को राजस्व रिकार्ड में दुरुस्त करने बारे प्रार्थना–पत्र गुजारा है। प्रार्थी के मुताबिक उसका नाम प्यार चंद है परन्तु राजस्व रिकॉर्ड में प्यारे लाल पुत्र मुंशी राम दर्ज है जोकि गलत है। इस आशय की पुष्टि के लिए प्रार्थी ने पर्चा जमाबंदी व अन्य दस्तावेज संलग्न किये हैं।

अतः इस इश्तहार के माध्यम से सर्वसाधारण जनता व संबंधित हितधारकों को सूचित किया जाता है कि यदि किसी को प्रार्थी के नाम को दुरुस्त करने बारे एतराज हो तो वह असालतन या वकालतन तिथि 28–05–2026 को प्रातः 11.00 बजे अधोहस्ताक्षरी की अदालत में हाजिर होवे। हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जाएगी। उसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 22–04–2026 को हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित / –
सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार,
तहसील धर्मशाला, जिला कांगड़ा (हि0प्र0)।

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In the Court of Dr. Ganesh Thakur, Marriage Officer-cum-**Sub-Divisional Magistrate Shahpur, Distt. Kangra (H.P.)**

1. Shri Onkar Singh s/o Sh. Subhash Chand, r/o Ward No. 4, V.P.O. Dodhamb, Tehsil Shahpur, Distt. Kangra (H.P.).

2. Smt. Laykunisha d/o Ishak Mohammed, r/o Paayga School K Pass, Surajpal Gate, Kota City, Kota, Rajasthan, Pin-324 006 . . *Applicants.*

Versus

1. General Public.
2. Local Registrar, Nagar Panchayat Dodhamb . . *Respondents.*

Subject.—Application for the Marriage Registration u/s 16 of Special Marriage Act, 1954.

Applicants Shri Onkar Singh s/o Sh. Subhash Chand, r/o Ward No. 4, V.P.O. Dodhamb, Tehsil Shahpur, Distt. Kangra (H.P.) and Smt. Laykunisha d/o Ishak Mohammed, r/o Paayga

School K Pass, Surajpal Gate, Kota City, Kota, Rajasthan, Pin-324 006 has filed an application u/s 16 of Special Marriage Act, 1954 alongwith declaration in which they have stated that they have solemnized their marriage on 20-01-2026 at Shri Mata Mansa Devi Mandir (Chamunda) Sr. No. 158, Dated 20-01-2026, Distt. Kangra (H.P.) as per Hindu rites & customs.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding the registration of this marriage can file an objection personally or in writing before this court on or before 27-05-2026. After that no objection will be entertained and marriage will be registered accordingly.

Seal. Sd/-
(DR. GANESH THAKUR),
Marriage Officer-cum-*Sub-Divisional Magistrate,*
Shahpur, Distt. Kangra (H.P.).

In the Court of Dr. Ganesh Thakur, Marriage Officer-cum-**Sub-Divisional Magistrate Shahpur, Distt. Kangra (H.P.)**

1. Shri Uddham Singh s/o Sh. Dina Nath, Village Rulhed, P.O. Boh, Sub-Tehsil Darini, Distt. Kangra (H.P.).

2. Smt. Anjna d/o Sh. Kishori Lal, Village Diara, P.O. Totarani, Tehsil Dharamshala, District Kangra (H.P.) . . *Applicants.*

Versus

1. General Public.
2. Local Registrar, Nagar Panchayat Rulhed . . *Respondents.*

Subject.—Application for the Marriage Registration u/s 8 of Registration of Marriage Act, 1996.

Applicants Shri Uddham Singh s/o Sh. Dina Nath, Village Rulhed, P.O. Boh, Sub-Tehsil Darini, Distt. Kangra (H.P.) and Smt. Anjna d/o Sh. Kishori Lal, Village Diara, P.O. Totarani, Tehsil Dharamshala, District Kangra (H.P.) has filled an application u/s 8 of registration of Marriage Act, 1996 alongwith declaration in which they have stated that they have solemnized their marriage on 02-06-2025 at Rulhed, P.O. Boh, Sub-Tehsil Darini, Distt. Kangra (H.P.) as per Hindu rites & customs.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding the registration of this marriage can file an objection personally or in writing before this court on or before 22-05-2026. After that no objection will be entertained and marriage will be registered accordingly.

Seal. Sd/-
(DR. GANESH THAKUR),
Marriage Officer-cum-*Sub-Divisional Magistrate,*
Shahpur, Distt. Kangra (H.P.).

ब अदालत इन्द्र सिंह कार्यकारी दण्डाधिकारी (नायब तहसीलदार), उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)–172104

मुकद्दमा संख्या 10 / B&D/2026 तारीख रजुआ 21–04–2026

सूरज पुत्र श्री शिव राम, निवासी गांव व डा0 युला, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत युला, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

विषय.––उनवान मुकद्दमा दरख्वास्त अधीन धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969।

सूरज पुत्र श्री शिव राम, निवासी गांव व डा0 युला, उप–तहसील टापरी, जिला किन्नौर हि0प्र0 का प्रार्थना–पत्र मुख्य चिकित्सा अधिकारी जिला किन्नौर स्थित रिकांगपिओ के कार्यालय पत्र संख्या HFW-KNR (B&D)/25/26-6552-53 दिनांक 02–03–2026 तहसीलदार निचार के माध्यम से इस अदालत में एक प्रार्थना–पत्र शपथ पत्र सहित प्राप्त हुआ है, जिसमे आवेदक ने अपना जन्म तिथि 07–05–1971 ग्राम पंचायत युला में दर्ज करने बारे आवेदन किया है।

अतः सर्व साधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि ग्राम पंचायत युला के रिकार्ड मे श्री सूरज का जन्म तिथि दिनांक 07–05–1971 दर्ज किए जाने पर किसी भी प्रकार का कोई उजर / एतराज हो तो वह अपना उजर / एतराज असालतन व वकालतन एक माह के अन्दर इस अदालत मे पेश करे यदि उक्त अविध तक कोई उजर व एतराज पेश नही हुआ तो जन्म एवं मृत्यु अधिनियम 1969 की धारा 13 (3) के अन्तर्गत सूरज का जन्म तिथि ग्राम पंचायत युला के अभिलेख मे दर्ज करने के आदेश पारित किया जायेगा।

आज दिनांक 28 अप्रैल, 2026 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)।

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ब अदालत इन्द्र सिंह कार्यकारी दण्डाधिकारी (नायब तहसीलदार) उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)–172104

मुकद्दमा संख्या 12 / B&D/2026 तारीख रजुआ 21–04–2026

उषा देवी पुत्री श्री मकर सैन, निवासी गांव व डा0 चगाव, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत चगाव, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

विषय.––उनवान मुकद्दमा दरख्वास्त अधीन धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969।

आवेदिका उषा देवी पुत्री श्री मकर सैन, निवासी गांव व डा0 चगाव, उप–तहसील टापरी, जिला किन्नौर हि0प्र0 का प्रार्थना–पत्र मुख्य चिकित्सा अधिकारी जिला किन्नौर स्थित रिकांगपिओ के कार्यालय पत्र

संख्या HFW-KNR (B&D)/25/26-6643-44 दिनांक 02–03–2026 तहसीलदार निचार के माध्यम से इस अदालत में एक प्रार्थना–पत्र शपथ पत्र सहित प्राप्त हुआ है, जिसमे आवेदिका ने अपना जन्म तिथि 06–04–1971 ग्राम पंचायत चगाव में दर्ज करने बारे आवेदन किया है।

अतः सर्व साधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि ग्राम पंचायत युला के रिकार्ड में उषा देवी का जन्म तिथि दिनांक 06–04–1971 दर्ज किए जाने पर किसी भी प्रकार का कोई उजर / एतराज हो तो वह अपना उजर / एतराज असालतन व वकालतन एक माह के अन्दर इस अदालत मे पेश करे यदि उक्त अविध तक कोई उजर व एतराज पेश नहीं हुआ तो जन्म एवं मृत्यु अधिनियम 1969 की धारा 13 (3) के अन्तर्गत आवेदिका उषा देवी का जन्म तिथि ग्राम पंचायत चगाव के अभिलेख में दर्ज करने के आदेश पारित किया जायेगा।

आज दिनांक 28 अप्रैल, 2026 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)।

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ब अदालत इन्द्र सिंह कार्यकारी दण्डाधिकारी (नायब तहसीलदार) उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)–172104

मुकद्दमा संख्या 11 / B&D/2026 तारीख रजुआ 21–04–2026

ठाकुर भगती पुत्री श्री सज्ञा राम, निवासी गांव व डा0 चगाव, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत चगाव, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

विषय.––उनवान मुकद्दमा दरख्वास्त अधीन धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969।

आवेदिका ठाकुर भगती पुत्री श्री संज्ञा राम, निवासी गांव व डा0 चगाव, जिला किन्नौर हि0प्र0 का प्रार्थना–पत्र मुख्य चिकित्सा अधिकारी जिला किन्नौर स्थित रिकांगपिओ के कार्यालय पत्र संख्या HFW-KNR (B&D)/25/26-6119-20 दिनांक 25–02–2026 तहसीलदार निचार के माध्यम से इस अदालत में एक प्रार्थना–पत्र शपथ पत्र सहित प्राप्त हुआ है, जिसमे आवेदिका ने अपना जन्म तिथि 26–07–1967 ग्राम पंचायत चगांव में दर्ज करने बारे आवेदन किया है।

अतः सर्व साधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि ग्राम पंचायत चगाव के रिकार्ड में ठाकुर भगती का जन्म तिथि दिनांक 26–07–1967 दर्ज किए जाने पर किसी भी प्रकार का कोई उजर / एतराज हो तो वह अपना उजर / एतराज असरलतन व वकालतन एक माह के अन्दर इस अदालत मे पेश करे यदि उक्त अविध तक कोई उजर व एतराज पेश नही हुआ तो जन्म एवं मृत्यु अधिनियम 1969 की धारा 13 (3) के अन्तर्गत आवेदिका ठाकुर भगती का जन्म तिथि ग्राम पंचायत चगांव के अभिलेख में दर्ज करने के आदेश पारित किया जायेगा।

आज दिनांक 28 अप्रैल, 2026 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)।

ब अदालत इन्द्र सिंह कार्यकारी दण्डाधिकारी (नायब तहसीलदार) उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)–172104

मुकद्दमा संख्या 9 / B&D/2026 तारीख रजुआ 21–04–2026

अनीता कुमारी पुत्री श्री मुनी लाल, निवासी गांव व डा0 रामनी, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत रामनी, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

विषय.––उनवान मुकद्दमा दरख्वास्त अधीन धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969।

आवेदिका अनीता कुमारी पुत्री श्री मुनी लाल, निवासी गांव व डा0 रामनी, जिला किन्नौर हि0प्र0 का प्रार्थना–पत्र मुख्य चिकित्सा अधिकारी जिला किन्नौर स्थित रिकांग पिओ के कार्यालय पत्र संख्या HFW-KNR (B&D)/25/26-8558-59 दिनांक 20–04–2026 तहसीलदार निचार के माध्यम से इस अदालत में एक प्रार्थना–पत्र शपथ पत्र सहित प्राप्त हुआ है, जिसमे आवेदिका ने अपनी जन्म तिथि 11–12–1968 ग्राम पंचायत रामनी में दर्ज करने बारे आवेदन किया है।

अतः सर्व साधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि ग्राम पंचायत रामनी के रिकार्ड में अनीता कुमारी का जन्म तिथि दिनांक 11–12–1968 दर्ज किए जाने पर किसी भी प्रकार का कोई उजर / एतराज हो तो वह अपना उजर / एतराज असालतन व वकालतन एक माह के अन्दर इस अदालत मे पेश करे यदि उक्त अविध तक कोई उजर व एतराज पेश नही हुआ तो जन्म एवं मृत्यु अधिनियम 1969 की धारा 13 (3) के अन्तर्गत आवेदिका अनीता कुमारी की जन्म तिथि ग्राम पंचायत रामनी के अभिलेख में दर्ज करने के आदेश पारित किया जायेगा।

आज दिनांक 28 अप्रैल, 2026 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)।

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ब अदालत इन्द्र सिंह कार्यकारी दण्डाधिकारी (नायब तहसीलदार) उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)–172104

मुकद्दमा संख्या 8 / B&D/2026 तारीख रजुआ 21–04–2026

ज्ञान देवी पुत्री श्री जयवर, निवासी गांव व डा0 मीरू, उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

बनाम

1. आम जनता ग्राम पंचायत मीरू उप–तहसील टापरी, जिला किन्नौर हि0प्र0।

विषय.––उनवान मुकद्दमा दरख्वास्त अधीन धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969।

आवेदिका ज्ञान देवी पुत्री श्री जयवर, निवासी गांव व डा0 मीरू, उप–तहसील टापरी, जिला किन्नौर हि0प्र0 का प्रार्थना–पत्र मुख्य चिकित्सा अधिकारी जिला किन्नौर स्थित रिकांगपिओ के कार्यालय पत्र संख्या

HFW-KNR (B&D)/25/26-7085-86 दिनांक 07–04–2026 तहसीलदार निचार के माध्यम से इस अदालत में एक प्रार्थना–पत्र शपथ पत्र सहित प्राप्त हुआ है, जिसमे आवेदिका ने अपनी जन्म तिथि 05–04–1970 ग्राम पंचायत मीरू में दर्ज करने बारे आवेदन किया है।

अतः सर्व साधारण को इस इश्तहार के माध्यम से सूचित किया जाता है कि यदि ग्राम पंचायत मीरू के रिकार्ड में ज्ञान देवी का जन्म तिथि दिनांक 05–04–1970 दर्ज किए जाने पर किसी भी प्रकार का कोई उजर / एतराज हो तो वह अपना उजर / एतराज असालतन व वकालतन एक माह के अन्दर इस अदालत मे पेश करे यदि उक्त अविध तक कोई उजर व एतराज पेश नहीं हुआ तो जन्म एवं मृत्यु अधिनियम 1969 की धारा 13 (3) के अन्तर्गत आवेदिका ज्ञान देवी की जन्म तिथि ग्राम पंचायत मीरू के अभिलेख मे दर्ज करने के आदेश पारित किया जायेगा।

आज दिनांक 28 अप्रैल, 2026 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
उप–तहसील टापरी, जिला किन्नौर (हि0प्र0)।

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ब अदालत कार्यकारी दण्डाधिकारी, तहसील कोटली, जिला मण्डी (हि0प्र0)

मिसल नम्बर :	तारीख मरजुआ	आगामी तारीख :
08 / 2026 :	04–05–2026	04–06–2026

श्रीमती सवारी देवी पुत्री श्री चैतरू हाल पत्नी श्री मनी राम, निवासी गांव बडयार, डाकघर भरगांव, तहसील कोटली, जिला मण्डी (हि0प्र0) ..... प्रार्थिया।

बनाम

आम जनता ..... प्रत्यार्थी।

विषय.––प्रार्थना–पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थना–पत्र नाम व जन्म तिथि / मृत्यु पंजीकरण दर्ज करने बारे इश्तहार।

श्रीमती सवारी देवी पुत्री श्री चैतरू हाल पत्नी श्री मनी राम, निवासी गांव बडयार, डाकघर भरगांव, तहसील कोटली, जिला मण्डी (हि0प्र0) ने इस न्यायालय में प्रार्थना–पत्र गुजार कर निवेदन किया है कि प्रार्थिया का नाम सवारी देवी व जन्म तिथि दिनांक 13–05–1966 है, लेकिन प्रार्थिया का नाम व जन्म तिथि पंचायत कोटली के रिकॉर्ड में दर्ज नहीं है। अतः ग्राम पंचायत कोटली में उनका नाम व जन्म तिथि पंजीकरण के आदेश देकर कृतार्थ करें।

प्रार्थना–पत्र में प्रार्थिया का नाम सवारी देवी व जन्म दिनांक 13–05–1966 का पंजीकरण दर्ज करने बारा आम जनता को प्रतिवादी बनाया है, चूंकि आम जनता को समन तामील साधारणतया संभव नहीं है अतः इस इश्तहार के माध्यम से सूचित किया जाता है कि अगर किसी व्यक्ति को प्रार्थिया का नाम व जन्म तिथि ग्राम पंचायत कोटली में पंजीकरण बारे कोई आपत्ति हो तो वे इस न्यायालय में अधोहस्ताक्षरी के समक्ष दिनांक 04–06–2026 को पूर्वाह्न या इससे पूर्व असालतन या वकालतन हाजिर होकर अपना पक्ष / एतराज पेश कर सकते हैं। समय पर हाजिर न आने की सूरत में एकतरफा कार्यवाही अमल में लाई जावेगी व यथोचित आदेश पारित किए जाएंगे।

आज दिनांक 06–05–2026 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया है।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी,
तहसील कोटली, जिला मण्डी, हिमाचल प्रदेश।

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ब अदालत कार्यकारी दण्डाधिकारी तहसील सदर, जिला मण्डी (हि0प्र0)

श्रीमती जोगिन्दरी देवी पुत्री परम देव उर्फ टुपलिया, निवासी डवारडू, डा0 द्रंग, तहसील सदर, जिला मण्डी, हि0प्र0 ..... प्रार्थिया।

बनाम

आम जनता ..... प्रत्यार्थी।
प्रार्थना–पत्र धारा 13(3) 1969 एक्ट के अन्तर्गत।

श्रीमती जोगिन्दरी देवी पुत्री परम देव उर्फ टुपलिया, निवासी डवारडू, डा0 द्रंग, तहसील सदर, जिला मण्डी, हि0प्र0 ने इस न्यायालय में प्रार्थना–पत्र गुजार कर यह निवेदन किया है कि मेरा नाम श्रीमती जोगिन्दरी देवी पुत्री परम देव, जन्म तिथि 01–07–1965 को निवासी डवारडू, डा0 द्रंग, तहसील सदर, जिला मण्डी, हि0प्र0 में हुआ है, परन्तु मेरे माता–पिता द्वारा अज्ञातावश / अन्जाने में नाम व जन्म तिथि को ग्राम पंचायत टाण्डू के जन्म रजिस्टर में दर्ज नहीं करवा सकी। इसलिए मेरा नाम जोगिन्दरी देवी व जन्म तिथि 01–07–1965 को ग्राम पंचायत टाण्डू के जन्म रजिस्टर में दर्ज किया जावे।

उपरोक्त प्रार्थना–पत्र के संन्दर्भ में आम जनता को इस ईश्तहार समाचार पत्र / मुश्त्री मुन्यादी के माध्यम से सूचित किया जाता है कि यदि किसी को उक्त प्रार्थिया का नाम व जन्म तिथि दर्ज किये जाने बारे कोई उजर / एतराज हो तो वह असालतन या वकालतन अपना एतराज इस न्यायालय में दिनांक 06–06–2026 को प्रातः 10.00 बजे या उससे पूर्व उपस्थित होकर प्रस्तुत कर सकता है। निश्चित अवधि के दौरान कोई भी उजर / एतराज न आने की सूरत में आम जनता के विरूद्ध एकतरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 07–05–2026 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी सदर,
तहसील सदर, जिला मण्डी (हि0प्र0)।

————————

ब अदालत कार्यकारी दण्डाधिकारी तहसील सदर, जिला मण्डी (हि0प्र0)

तेंजिन यांगकि पुत्री चौक नारबू, निवासी मकान नं0 पी–7 / 584, जरल कलौनी पण्डोह, तहसील सदर, जिला मण्डी, हि0प्र0 ..... प्रार्थिया।

बनाम

आम जनता ..... प्रत्यार्थी।

प्रार्थना–पत्र धारा 13(3) 1969 एक्ट के अन्तर्गत।

तेंजिन यांगकि पुत्री चौक नारबू, निवासी मकान नं0 पी–7 / 584, जरल कलौनी पण्डोह, तहसील सदर, जिला मण्डी, हि0प्र0 ने इस न्यायालय में प्रार्थना–पत्र गुजार कर यह निवेदन किया है कि मेरा जन्म दिनांक 05–12–1973 को ग्राम पंचायत मझबाड़ स्थान जरल कलौनी में हुआ है। परन्तु मेरे माता–पिता द्वारा अज्ञानतावश / अन्जाने मे जन्म तिथि को ग्राम पंचायत मझबाड़ के जन्म रजिस्टर में दर्ज नहीं करवा सके। इसलिए मेरी जन्म तिथि 05–12–1973 को ग्राम पंचायत मझबाड़ के जन्म रजिस्टर में दर्ज किया जावे।

उपरोक्त प्रार्थना–पत्र के संन्दर्भ में आम जनता को इस ईश्तहार समाचार पत्र / मुश्त्री मुन्यादी के माध्यम से सूचित किया जाता है कि यदि किसी को उक्त प्रार्थिया की जन्म तिथि दर्ज किये जाने बारे कोई उजर / एतराज हो तो वह असालतन या वकालतन अपना एतराज इस न्यायालय में दिनांक 08–06–2026 को प्रातः 10.00 बजे या उससे पूर्व उपस्थित होकर प्रस्तुत कर सकता है। निश्चित अवधि के दौरान कोई भी उजर / एतराज न आने की सूरत में आम जनता के विरूद्ध एकतरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 08–05–2026 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। हस्ताक्षरित / –
कार्यकारी दण्डाधिकारी सदर,
तहसील सदर, जिला मण्डी (हि0प्र0)।

————

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Govind Singh s/o Shiv Lal, r/o Village Thala, P.O. Munish Bahli, Tehsil Rampur Bushahr, Distt. Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

Whereas, the above named applicant has submitted an application for the correction of his daughter name from "RENNU" d/o Govind Singh to "RANO" d/o Govind Singh in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant daughter name as "RANO" d/o Govind Singh in place of "RANNU" d/o Govind Singh they should appear before the undersigned on or before 24-05-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 23rd day of April, 2026 under my hand and seal of the Court.

Seal. Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Madan Lal s/o Sh. Bakshi Ram, r/o Village & P.O. Mashnoo, Tehsil Rampur Bushahr, Distt. Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

Whereas, the above named applicant has submitted an application for the correction of his daughter name from "ANAYANA" d/o Madan Lal to "ANANAYA" d/o Madan Lal in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant daughter name as "ANANAYA" d/o Madan Lal in place of "ANAYANA" d/o Madan Lal they should appear before the undersigned on or before 05-06-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 6th day of May, 2026 under my hand and seal of the Court.

Seal. Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Vikas s/o Sh. Bhag Ram, r/o Village Kalay, P.O. Baonda, Sub-Tehsil Sarahan, Distt. Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

WHEREAS, the above named applicant has submitted an application for the correction of his daughter name from "AANYA TANGOO" d/o Vikas to "ANAYA TANGOO" d/o Vikas in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant daughter name as "ANAYA TANGOO" d/o Vikas in place of "AANYA TANGOO" d/o Vikas they should appear before the undersigned on or before 30-05-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 29th day of April, 2026 under my hand and seal of the Court.

Seal. Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Nisha Kumari w/o Sh. Sohan Singh, r/o Village & P.O. Majhewali, Tehsil Rampur Bushahr, District Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

WHEREAS, the above named applicant has submitted an application for the correction of her son name from "SHORYA" d/o Sohan Singh to "SHOURAY" s/o Sohan Singh in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant son name as "SHOURAY" s/o Sohan Singh in place of "SHORYA" d/o Sohan Singh they should appear before the undersigned on or before 30-05-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 29th day of April, 2026 under my hand and seal of the Court.

Seal. Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Anjana Devi w/o Sh. Joginder Singh, r/o Village Rattanpur, P.O. Kartot, Tehsil Rampur, District Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

WHEREAS, the above named applicant has submitted an application for the correction of her daughter name from "ANJU DEVI" w/o Joginder Singh (D.O.B. 10-06-1985) to "ANJANA DEVI" w/o Joginder Singh (D.O.B. 10-01-1983) in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant son name as "ANJANA DEVI" w/o Joginder Singh (D.O.B. 10-01-1983)in place of "ANJU DEVI" w/o Joginder Singh (D.O.B. 10-06-1985) they should appear before the undersigned on or before 03-06-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 2nd day of May, 2026 under my hand and seal of the Court.

Seal. Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Sub-Divisional Magistrate, Rampur Bushahr, District Shimla (H.P.)

In the matter of :

Ashik Ali s/o Sh. Shokat Ali, r/o Village Beibag, P.O. Jeori, Tehsil Rampur Bushahr, District Shimla, H.P. . . *Applicant.*

Versus

General Public . . *Respondent.*

PROCLAMATION REGARDING CORRECTION OF NAME

Public Notice :

WHEREAS, the above named applicant has submitted an application for the correction of his son name from "KAKA" s/o Ashik Ali to "MAHMOOD IRSHAD" s/o Ashik Ali in the records of the Aadhar Card and all other relevant documents associated with the applicant.

Now, therefore, objections are invited from the general public that if anyone has any objection regarding change of applicant son name as "MAHMOOD IRSHAD" s/o ASHIK ALI in place of "KAKA" s/o ASHIK ALI they should appear before the undersigned on or before 03-06-2026 either personally or through their authorized agent/pleader.

In the event of their failure to do so, order shall be passed *ex-parte* without affording any further opportunity of being heard.

Issued today on 2nd day of May, 2026 under my hand and seal of the Court.

Seal.

Sd/-
(HARSH AMRENDER SINGH, HAS),
Sub-Divisional Magistrate,
Rampur Bushahr, District Shimla (H.P.).

In the Court of Surinder Chandel, Executive Magistrate & Naib Tehsildar Mamlig, Sub-Tehsil Mamlig, District Solan (H.P.)

Case No. 07/2026 Date of Institution : 27-03-2026

Sh. Nand Lal s/o Late Sh. Puran Chand, r/o Village Banjani, P.O. Shardaghat, Tehsil Kandaghat, District Solan (H.P.).

Versus

General Public

Application under section 13(3) of the Registration of Births and Deaths Act, 1969 and Rule 9(3) of H.P. Registration of Birth and Death Rules, 2003.

Sh. Nand Lal s/o Late Sh. Puran Chand, r/o Village Banjani, P.O. Shardaghat, Tehsil Kandaghat, District Solan (H.P.) Applicant to get his Grand father date of death registered as 27-01-1985 at Gram Panchayat Satrol, P.O.Mamlig, Sub-Tehsil Mamlig, District Solan H.P.

Therefore, notice is hereby given to the general public that Sh. Nand Lal wishes to register his Grand father Sh. Thamru s/o Gyaru date of death as 27-01-1985 in Gram Panchayat Satrol. If any person has any objection regarding this registration, he/she may submit the objection in writing or orally, personally or through counsel, before the undersigned court within 30 days from the date of publication of this notice.

If no objection is received within the stipulated period, appropriate orders shall be passed in this matter as per rules.

Issued under my hand and seal of the court on this 02nd day of May, 2026.

Seal.

Sd/-
(SURINDER CHANDEL),
Executive Magistrate Mamlig,
District Solan (H.P.).

In the Court of Surinder Chandel, Executive Magistrate & Naib Tehsildar Mamlig, Sub-Tehsil Mamlig, District Solan (H.P.)

Case No. 06/2026 Date of Institution : 20-03-2026

Smt. Leela Devi w/o Sh. Devinder Kumar, r/o Village & P.O. Tundal, Tehsil Kandaghat, District Solan (H.P.).

Versus

General Public

Application under section 13(3) of the Registration of Births and Deaths Act, 1969 and Rule 9(3) of H.P. Registration of Birth and Death Rules, 2003.

Smt. Leela Devi w/o Sh. Devinder Kumar, r/o Village & P.O. Tundal, Tehsil Kandaghat, District Solan (H.P.) who wishes to get her date of birth & Death *i.e.* 24-12-1975 recorded in the records of Gram Panchayat Chhausha.

Therefore, notice is hereby given to the general public that Smt. Leela Devi wishes to register her date of birth as 24-12-1975 in the birth register of Gram Panchayat Mamlig. If any person has any objection regarding this registration, he/she may submit the objection in writing or orally, personally or through counsel, before the undersigned court within 30 days from the date of publication of this notice.

If no objection is received within the stipulated period, appropriate orders shall be passed in this matter as per rules.

Issued under my hand and seal of the court on this 04th day of May, 2026.

Seal. Sd/-
(SURINDER CHANDEL),
Executive Magistrate Mamlig,
District Solan (H.P.).

Before Shri Jagpal Singh, Executive Magistrate (Tehsildar), Kasauli, District Solan, Himachal Pradesh

Case No.	Date of Institution	Date of Decision
05/2026	23-04-2026	23-05-2026

Smt. Banto Devi w/o Sh. Jeet Ram, r/o Village Samloh, Basdala, P.O. Bhagauri, Tehsil Kasauli & District Solan H.P.

. .*Applicant.*

Versus

General Public . .*Respondent.*

Application under section 13(3) of Birth and Death Registration Act, 1969.

Smt. Banto Devi w/o Sh. Jeet Ram, r/o Village Samloh, Basdala, P.O. Bhagauri, Tehsil Kasauli & District Solan H.P. has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 alongwith affidavits and other documents stating therein that she was born on 11-05-1950 at Village & P.O. Darwa, Tehsil Kasauli & District Solan H.P. as per affidavit furnished by the applicant & relevant document attached in case file, but her date of birth could not registered in the record of Gram Panchayat Kot-Beja, Tehsil Kasauli, District Solan, H.P. within stipulated period.

Hence, she prayed for passing necessary orders to the Registrar, Birth & Death Registration of Gram Panchayat Kot-Beja, Tehsil Kasauli, for entering the same in the births and deaths records.

Therefore, by this proclamation, the general public is hereby informed that any person having any objection for the registration of delayed date of birth of Smt. Banto Devi d/o Late Sh. Jamnu & Smt. Rattni, may submit their objections in writing in this court on or before 23-05-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of April, 2026.

Seal. Sd/-
(JAGPAL SINGH),
Executive Magistrate-cum-*Naib Tehsildar,*
Kasauli, District Solan (H.P.).

Before Shri Jagpal Singh, Executive Magistrate (Tehsildar), Kasauli, District Solan, Himachal Pradesh

Case No.	Date of Institution	Date of Decision
07/2026	05-05-2026	04-06-2026

Smt. Rekha Kumari d/o Late Sh. Mohan Singh, r/o Village Sarohali, P.O. Maseran, Tehsil Sarkaghat, District Mandi H.P.

. .*Applicant.*

Versus

General Public . .*Respondent.*

Application under section 13(3) of Birth and Death Registration Act, 1969.

Smt. Rekha Kumari d/o Late Sh. Mohan Singh, r/o Village Sarohali, P.O. Maseran, Tehsil Sarkaghat, District Mandi H.P. has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 alongwith affidavits and other documents stating therein that her mother died on 28-10-1979 at Dharampur, P.O. Dharampur, Tehsil Kasauli, District Solan H.P. as per affidavit furnished by the applicant & relevant document attached in case file, but her date of death could not registered in the record of Gram Panchayat Dharampur, Tehsil Kasauli, District Solan, H.P. within stipulated period.

Hence, she prayed for passing necessary orders to the Registrar, Birth & Death Registration of Gram Panchayat Dharampur, for entering the same in the births and deaths records.

Therefore, by this proclamation, the general public is hereby informed that any person having any objection for the registration of delayed date of death of Smt. Bohari Devi w/o Mohan Singh,, may submit their objections in writing in this court on or before 04-06-2026 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 05th day of May, 2026.

Seal. Sd/-
(JAGPAL SINGH),
Executive Magistrate-cum-*Naib Tehsildar*,
Kasauli, District Solan (H.P.).

ब अदालत श्री कैलाश कौंडल, सहायक समाहर्ता प्रथम श्रेणी एवं भू–सुधार अधिकारी, अर्की, तहसील अर्की, जिला सोलन, हिमाचल प्रदेश

मिसल नं0 : 01 / 2026 तारीख मरजुआ : 16–02–2026 तारीख पेशी : 22–04–2026

काली दास पुत्र फिन्जा, निवासी महाल पनियाल, तहसील घुमारवी, जिला बिलासपुर, हिमाचल प्रदेश ..... वादीगण।

बनाम

नथू आदि निवासी महाल पनियाल तहसील घुमारवी, जिला बिलासपुर, हिमाचल प्रदेश

प्रतिवादीगण।

प्रार्थना–पत्र हि0प्र0 मुजारियत एवं भूमि सुधार अधिनियम, 1972 की धारा 104 (3) के तहत मालकाना हक बारे।

यह आवेदन पत्र वादीगण काली दास पुत्र फिन्जा आदि ने हि0प्र0 मुजारियत एवं भू–सुधार अधिनियम, 1972 की धारा 104 (3) के तहत अराजी खेवट / खतौनी नं0 9 / 15, खसरा नम्बर 199, 200, 214 कित्ता–3, रकबा तादादी 5–15 बीघा, महाल पनियाल, तहसील घुमारवी, जिला बिलासपुर, में मालकान हक प्रदान करने बारा न्यायालय में पेश किया। प्रार्थी ने समस्त कागजात संशोधित प्रार्थना–पत्र, हल्फी ब्यान व समस्त नकल जमाबन्दीया संलग्न करते हुए निवेदन किया है कि उनका उपरोक्त खाता / खतौनी में खाना काशत मे गैर मौरूसी का ईन्द्राज चला आ रहा है तथा वे ही उपरोक्त भूमि काशत करते चले आ रहे है। उपरोक्त भूमि पर प्रतिवादी का कोई मौका कब्जा नहीं है तथा इसलिये वादीगण ने उपरोक्त अराजी में मालकाना हक बारें दरख्वास्त की है तथा प्रार्थना की है, कि मुताबिक मौका व कब्जा काशत के अनुसार कागजात माल में प्रार्थीगण को गैर–मौरूसी के बजाये मालिक बनाया जाकर खाना मलकीयत में बतौर मालिक दर्ज किया जावे।

न्यायालय द्वारा मिसल सुनवाई हेतु दिनांक 16–03–2026, 30–03–2026 व 22–04–2026, को नायब तहसीलदार भू–व्यवस्था वृत्त घुमारवीं के कार्यालय में रखी गई परन्तु निम्नतिखित कुछ प्रतिवादीगण को बजरिया समन समुचित ईतलाइ नहीं हो पाई है। जिनका विवरण निम्न अनुसार हैः–

प्रतिवादी क्रम संख्या :–

1. नथु पुत्र महाजन, 2. भगत राम पुत्र मसदी, 3. नथु पुत्र लालमन, 4. हरीराम पुत्र लालमन, 5. निक्का पुत्र लालमन, 6. श्रीमती मनशो पुत्री लालमन, 7. श्रीमती गीता पुत्री लालमन, 8. श्रीमती प्रभी पुत्री लालमन, 9. भगत पुत्र सदा राम, 10. श्रीमती द्रोपती पुत्री सदा राम, 11. श्रीमती भोला पत्नी सदा राम, 12. रामजी पुत्र साधु, 13. घनैईया पुत्र माधो, 14. नरैणू पुत्र माधो, 15. किरपा पुत्र माधो, 16. घूँघर पुत्र माधो, 17. धनी राम पुत्र रोहली, 18. सूरतराम पुत्र रोहली, 19. निक्का राम पुत्र रोहली, 20. अनन्त राम पुत्र रोहली, 21. लेख राम पुत्र रोहली, 22. सदा राम पुत्र रोहली, 23. जगरनाथ पुत्र चूँखा, 24. सीता राम पुत्र चूँखा, 25. कांशी राम पुत्र चूँखा, 26. श्रीमती रामरखी पुत्र चूँखा, 27. संतु पुत्र चन्दू, 28. गूसाऊँ पुत्र छजू, 29. गोविन्द पुत्र दया राम, 30. मथरादास पुत्र दया राम, 31. शाली पुत्र दया राम, 32. जियूण राम पुत्र दया राम, 33. पुन्नु राम पुत्र दया राम, 34. रामदितू पुत्र मलागर, 35. ठौकरदास पुत्र मलागर, 36. गुलाब पुत्र शिबू, 37. जियाणू पुत्र शिबू, 38. मसदी पुत्र गोकल, 39. हजारी पुत्र गोकल, 40. तुलसी पुत्र गोकल, 41. बलदेवदास पुत्र चिंतू, 42. मगल राम पुत्र चिंतू, 43. सुख देव पुत्र चिंतू, 44. श्रीमती क्रोधू पुत्री चिंतू, 45. श्रीमती विदया पुत्री चिंतू, 46. श्रीमती कौशल्या पुत्री चिंतू, 47. श्रीमती मैना देवी पत्नी पुत्र चिंतू, 48. भगत राम पुत्र फिनजा समस्त निवासीगण महाल पनियाल डाकखाना तहसील घुमारवी, जिला बिलासपुर, हिमाचल प्रदेश।

अतः अब उपरोक्त प्रतिवादीगण को इश्तहार के माध्यम से सूचित किया जाता है कि यदि उपरोक्त प्रतिवादी को प्रार्थी के द्वारा दायर वाद के सम्बन्ध में कोई उजर / एतराज हो तो वह अपना उजर व एतराज मिति 04–06–2026 को प्रातः 11.00 बजे कार्यालय नायब तहसीलदार, भू–व्यवस्था वृत्त घुमारवीं में अधोहस्ताक्षरी के समक्ष पेश कर सकते हैं। किसी से उजर व एतराज न आने की सूरत में वादीगण को खाना काश्त में काश्त व कब्जा स्वयं मुताबिक करने बारा आदेश प्रदान किये जाएंगे।

आज दिनांक 22–04–2026 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित / –
भू–सुधार अधिकारी, एवं सहायक समाहर्ता प्रथम श्रेणी,
भू–व्यवस्था अर्की, जिला सोलन (हि0प्र0)।

CHANGE OF NAME

I, Sareya Thakur d/o Sh. Malkeet Singh, r/o Vill. Samra, P.O. Urei, Tehsil Bharmour, Distt. Chamba (H.P.) declare that my name in my Aadhar Card No. 6368 7085 2529 is wrongly entered as Sareha Thakur. Whereas, my correct name is Sareya Thakur. All concerned note.

SAREYA THAKUR
d/o Sh. Malkeet Singh,
r/o Vill. Samra, P.O. Urei,
Tehsil Bharmour, Distt. Chamba (H.P.).

CHANGE OF NAME

I, Kusum Devi w/o Sh. Harjeet Singh, r/o Vill. Kangri, P.O. Nareli, Tehsil Hamirpur, Distt. Hamirpur (H.P.) declare that in birth certificate of my son his name & my names are wrongly entered as Vishal & Kusum respectively. Whereas, correct name of my son is Vishal Guleria & my name is Kusum Devi. All concerned please note.

KUSUM DEVI
w/o Sh. Harjeet Singh,
r/o Vill. Kangri, P.O. Nareli,
Tehsil Hamirpur, Distt. Hamirpur (H.P.).

CHANGE OF NAME

I, Vivek Kumar s/o Sh. Sunil Kumar, r/o Vill. Kulath (120), Rajgarh, Distt. Sirmaur (H.P.) declare that I have changed my minor son's name from Baby One of Indu Chauhan to Aarush Thakur. Please note all concerned for further.

VIVEK KUMAR
s/o Sh. Sunil Kumar,
r/o Vill. Kulath (120),
Rajgarh, Distt. Sirmaur (H.P.).

CHANGE OF NAME

I, Samblo Devi w/o Sh. Rajinder Singh, r/o Vill. Jarpal, P.O. Amlela, Tehsil Nagrota Surian, Distt. Kangra (H.P.) declare that my name has been mistakenly entered as Shamblo Devi in my Aadhar Card whereas my correct and real name is Samblo Devi. Pleaes correct my name in the Aadhar Card. All concerned may take note this.

SAMBLO DEVI
w/o Sh. Rajinder Singh,
r/o Vill. Jarpal, P.O. Amlela,
Tehsil Nagrota Surian, Distt. Kangra (H.P.).

CHANGE OF NAME

I, Rukmani Devi w/o Sh. Chape Ram, # 633, Vill. Nachani, P.O. Som Nachani, Chalot (633), Distt. Mandi (H.P.)-175 121 declare that my name is wrongly registered as Ruku Devi in my PAN Card whereas my name is registered as Rukmani Devi in my Aadhar Card, Bank account & Panchayat records. My name in my PAN Card should be corrected from Ruku Devi to Rukmani Devi. All concerned please note.

RUKMANI DEVI
w/o Sh. Chape Ram,
 # 633 Vill. Nachani, P.O. Som Nachani,
Chalot (633), Distt. Mandi (H.P.)-175 121.

CHANGE OF NAME

I, Kala Vati w/o Late Sh. Vinod Kumar, r/o Vill. Ramnagri, P.O. Kiarkoti, Tehsil & Distt. Shimla (H.P.)-171 007 declare that I have changed my name from Kalabati (Previous name) to Kala Vati (New Name). All concerned please may note.

KALA VATI
w/o Late Sh. Vinod Kumar,
r/o Vill. Ramnagri, P.O. Kiarkoti,
Tehsil & Distt. Shimla (H.P.)-171 007.

CHANGE OF NAME

I, Hema Devi w/o Sh. Anil Kumar, r/o Vill. Ghat (154), P.O. Patta, Distt. Solan (H.P.) declare that I have changed my name from Hema Devi to Himawati. Please note all concerned for further.

HEMA DEVI
w/o Sh. Anil Kumar,
r/o Vill. Ghat (154),
P.O. Patta, Distt. Solan (H.P.).

CHANGE OF NAME

I, Jagat Singh s/o Sh. Sher Singh, r/o Vill. Sarauntly, P.O. Kanda Banah (151), Shimla (H.P.)-171 217 do hereby declare that my son's name is wrongly recorded in the Aadhar Card as "Divansh" (old name), whereas the correct name of my son is "Divyansh". All concerned authorities may kindly take note of the same.

JAGAT SINGH
s/o Sh. Sher Singh,
r/o Vill. Sarauntly,
P.O. Kanda Banah (151),
Shimla (H.P.)-171 217.

CHANGE OF NAME

I, Ashish Kumar s/o Sh. Roshan Lal, r/o Vill. & P.O. Auhar, Tehsil Ghumarwin, Distt. Bilaspur (H.P.) declare that in my son's Aadhar Card his name is wrongly entered as Nitten which should be corrected as Nitin. Please correct this.

ASHISH KUMAR
s/o Sh. Roshan Lal,
r/o Vill. & P.O. Auhar,
Tehsil Ghumarwin, Distt. Bilaspur (H.P.).

CHANGE OF NAME

I, Parmesh Kumar s/o Sh. Jehar Singh, aged about 48 years, r/o Sharma Niwas, Near Helly Pad Annandale, Shimla (H.P.)-171 003 declare that I am the father/guardian of Ms. Swastika Sharwan, Roll No. 17288059, registration No. H125/43138/0085, student of CBSE. My name has been wrongly entered as "Parmesh Kumar Sharwan", please correct my name as "Parmesh Kumar" in all records.

PARMESH KUMAR
s/o Sh. Jehar Singh,
r/o Sharma Niwas,
Near Helly Pad Annandale,
Shimla (H.P.)-171 003.

CHANGE OF NAME

I, Richard Ellis s/o Late Mr. Thomas William Ellis, r/o Ruchika Apartment-2, Flat No.-5, Circular Road Solan, Tehsil and Distt. Solan (H.P.) declare that I have added my middle name Joseph to Richard Ellis and name for all further documents to be written as Richard Joseph Ellis. All concerned may please note.

RICHARD ELLIS
s/o Late Mr. Thomas William Ellis,
r/o Ruchika Apartment-2, Flat No.-5,
Circular Road Solan, Tehsil and Distt. Solan (H.P.).

CHANGE OF NAME

I, Ritaish Kumar s/o Sh. Manohar Lal, r/o Village Nihan, P.O. Samoh, Tehsil Jhandutta, Distt. Bilaspur (H.P.)-174 021 declare that in my minor son's Aadhar Card, his name is wrongly entered as Vandanam Sharma which should be corrected as Vinayak Sahore. Please correct this.

RITAISH KUMAR
s/o Sh. Manohar Lal,
r/o Village Nihan, P.O. Samoh,
Tehsil Jhandutta, Distt. Bilaspur (H.P.)-174 021.

CHANGE OF NAME

I, Rajneesh s/o Sh. Ram Dutt, r/o Village Garahi, P.O. Sheel, Tehsil Rohru, Distt. Shimla (H.P.) declare that my son's name Vivan Sharma is wrongly mentioned as Ayan Sharma in his Aadhar Card. Therefore it should be changed to Vivan Sharma in his Aadhar Card. All concerned may note please.

RAJNEESH
s/o Sh. Ram Dutt,
r/o Village Garahi, P.O. Sheel,
Tehsil Rohru, Distt. Shimla (H.P.).

CHANGE OF NAME

I, Poonam Kulkarni (New Name) d/o Sh. Jagdish Chand Dulta & w/o Sh. Prafulla Meghanath Kulkarni, r/o Inna Lodge, Near Local Bus Stand Sanjauli, Shimla-171006, Tehsil and Distt Shimla (H.P.) declare that I have changed my name from Poonam Prafulla Kulkarni (previous name) to Poonam Kulkarni (New Name). All concerned please may note.

POONAM KULKARNI
d/o Sh. Jagdish Chand Dulta
w/o Sh. Prafulla Meghanath Kulkarni,
r/o Inna Lodge, Near Local Bus Stand Sanjauli,
Shimla-171006, Tehsil and Distt Shimla (H.P.).

CHANGE OF NAME

I, Prema Devi w/o Sh. Bhagat Ram, r/o Village Dhamrola, P.O. Jakhyol, Tehsil Bhoranj, Distt. Hamirpur (H.P.) declare that I have changed my name from Prema Devi Aadhar Card No. 4364 2431 1025 to Premi Devi. All concerned note.

PREMA DEVI
w/o Sh. Bhagat Ram,
r/o Village Dhamrola, P.O. Jakhyol,
Tehsil Bhoranj, Distt. Hamirpur (H.P.).

CHANGE OF NAME

I, Mahindra Devi w/o Sh. Rattan Chand, r/o Vill. Kehlu, P.O. Nanikhad, Sub-Tehsil Kakira, Distt. Chamba (H.P.) declare that I have changed my name from Mohindra to Mahindra Devi. I shall be known as Mahindra Devi for all purposes in future. All concerned please note.

MAHINDRA DEVI
w/o Sh. Rattan Chand,
r/o Vill. Kehlu, P.O. Nanikhad,
Sub-Tehsil Kakira, Distt. Chamba (H.P.).

CHANGE OF NAME

I, Shalini Thakur w/o Sh. Sunil Kumar, r/o Vill. Panjahli, P.O. Dugha, Tehsil & Distt. Hamirpur (H.P.) declare that I have changed my name from Shalni Thakur to Shalini Thakur. I shall be known as Shalini Thakur for all purposes in future. All concerned please note.

SHALINI THAKUR
w/o Sh. Sunil Kumar,
r/o Vill. Panjahli, P.O. Dugha,
Tehsil & Distt. Hamirpur (H.P.).

CORRECTION OF NAME

I, Sheesh Pal s/o Sh. Kanshi Ram, r/o Village Parnali, P.O. Bandla, Tehsil Sadar, Distt. Bilaspur (H.P.) declare that my name is entered as Shahsi Pal in my Aadhar Card, which is incorrect. My correct name is Sheesh Pal. Concerned note.

SHEESH PAL
s/o Sh. Kanshi Ram,
r/o Village Parnali, P.O. Bandla,
Tehsil Sadar, Distt. Bilaspur (H.P.).

CORRECTION OF NAME

I, Puran Chand s/o Maru Ram, Village Landiara, P.O. Ghiara, Tehsil Dada Siba, District Kangra (H.P.) declare that my daughter's name is wrongly recorded in her Aadhar Card as Shavi Thakur, whereas, her correct name is Chhavi Thakur and may be corrected in her Aadhar Card as Chhavi Thakur d/o Puran Chand. Concerned note.

PURAN CHAND
s/o Maru Ram,
Village Landiara, P.O. Ghiara,
Tehsil Dada Siba, District Kangra (H.P.).

CHANGE OF NAME

I, Saanjh Bhawani w/o Sandeep Kumar, r/o V.P.O. Bahang, Tehsil Manali, Distt. Kullu (H.P.). I have changed my name from Shilpa Bhawani to Saanjh Bhawani. In future I, must be known as Saanjh Bhawani for all future purposes. Concerned note it.

SAANJH BHAWANI
w/o Sandeep Kumar,
r/o V.P.O. Bahang,
Tehsil Manali, Distt. Kullu (H.P.).

CHANGE OF NAME

I, Jasvinder Singh s/o Roshan Lal, r/o Village Hara, P.O. Fatehpur, Tehsil Fatehpur, Distt. Kangra (H.P.) declare that I have changed my minor daughter's name from Syarbni to Shreyavni.

JASVINDER SINGH
s/o Roshan Lal,
r/o Village Hara, P.O. Fatehpur,
Tehsil Fatehpur, Distt. Kangra (H.P.).

CHANGE OF NAME

I, Shahil Kapil s/o Sh. Desh Raj, r/o Vill. Ghartheri Bhalwalan, P.O. Jhaniari, Teh. & Distt. Hamirpur (H.P.) declare that I have changed my minor son's name from Kairav Kapil to Krishank Kapil for all purposes in future. Please note.

SHAHIL KAPIL
s/o Sh. Desh Raj,
r/o Vill. Ghartheri Bhalwalan,
P.O. Jhaniari, Teh. & Distt. Hamirpur (H.P.).

CHANGE OF NAME

I, Manisha d/o Ramu Bahadur, r/o Vill. Kandalu, VTC Kundlu (22/263), P.O. Haripur, Distt. Solan (H.P.) declare that I have changed my name from Manisha to Kumari Manisha. Please note all concerned for further.

MANISHA
d/o Ramu Bahadur,
r/o Vill. Kandalu, VTC Kundlu (22/263),
P.O. Haripur, Distt. Solan (H.P.).

CHANGE OF NAME

I, Suman w/o Sh. Suveer, r/o Lajonth, P.O. Chopal, Teh. Chopal, Distt. Shimla (H.P.) declare that I have changed my minor son's name from "Baby one of Suman" to Dhananjay Thakur. Please note all concerned for further.

SUMAN
w/o Sh. Suveer,
r/o Lajonth, P.O. Chopal,
Teh. Chopal, Distt. Shimla (H.P.).

CHANGE OF NAME

I, Om Prakash s/o Sh. Bala Ram, r/o Ward No. 5, Near Vetenary Colony, Rajgarh (122), P.O. Rajgarh, Distt. Sirmaur (H.P.) declare that I have changed my name from Om Prakash to Om Parkash. Please note all concerned for further.

OM PRAKASH
s/o Sh. Bala Ram,
r/o Ward No. 5,
Near Vetenary Colony, Rajgarh (122),
P.O. Rajgarh, Distt. Sirmaur (H.P.).

CHANGE OF NAME

I, Guria (New Name) aged about 25 d/o Man Mohan, r/o V.P.O. Chopal, Teh. Chopal, Distt. Shimla (H.P.)-171 211 declare that I have changed my name from Sneha (Old Name) to Guria (New Name). All concerned please may note.

GURIA
d/o Man Mohan,
r/o V.P.O. Chopal, Teh. Chopal,
Distt. Shimla (H.P.)-171 211.

CHANGE OF NAME

I, Sant Bahadur s/o Man Bahadur, r/o Village Deori Dhar, P.O. Halnidhar, Shimla (H.P.) -171 213 have changed my minor daughter's name from Pushpa to Pushpa Budha. All concerned please note.

SANT BAHADUR
s/o Man Bahadur,
r/o Village Deori Dhar,
P.O. Halnidhar, Shimla (H.P.).

CHANGE OF NAME

I, Nisha w/o Vikas Verma, Bishnog (132), Shimla (H.P.)-171 201 declare that I have changed my minor son's name from Baby one of Nisha (Old Name) to Naivish (New Name). All concerned may please note.

Nisha
w/o Vikas Verma,
Bishnog (132), Shimla (H.P.)-171 201.

CORRECTION OF NAME

I, Vidya Devi (Aadhar No. 6756 1240 8617), w/o Rajkumar, r/o Verma Apartment, Flat No. 1, Sunny Side Solan, Distt. Solan (H.P.) declare that my son Harsh Thakur born at District Hospital Solan has my name wrongly recorded as Rekha in the birth certificate. This may please be corrected to Vidya Devi. Concerned authorities may note.

VIDYA DEVI
w/o Rajkumar,
r/o Verma Apartment,
Flat No. 1, Sunny Side Solan,
Distt. Solan (H.P.).

CORRECTION OF NAME

I, Azad Mehta s/o Sh. Anand Kumar Mehta, r/o Village Jani, Post Office Ramni, Sub-Tehsil Tapri, District Kinnaur (H.P.) declare that in my Aadhar Card No. 6915 9698 4353, my name is wrongly entered as Azad Negi and my father's name is entered as Anand Kumar, Whereas, my correct name is Azad Mehta and my father's correct name is Anand Kumar Mehta. Please correct this.

AZAD MEHTA
s/o Sh. Anand Kumar Mehta,
r/o Village Jani, Post Office Ramni,
Sub-Tehsil Tapri, District Kinnaur (H.P.).

CHANGE OF NAME

I, Rishika Thakur (New Name) d/o Sh. Kuldeep Singh, r/o Village Dukher Samote (276A), P.O. Samote, Tehsil Sihunta, Distt. Chamba (H.P.) declare that I have changed my name from Rishika Kumari (Old Name) to Rishika Thakur (New Name) for all future purposes. All concerned please may note.

RISHIKA THAKUR
d/o Sh. Kuldeep Singh,
r/o Village Dukher Samote (276A),
P.O. Samote, Tehsil Sihunta, Distt. Chamba (H.P.).

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला–5 द्वारा मुद्रित तथा प्रकाशित
इलेक्ट्रॉनिक हस्ताक्षरित राजपत्र, वैबसाइट https://rajpatra.hp.gov.in पर उपलब्ध है एवम् ऑनलाइन सत्यापित किया जा सकता है।